

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DRAGON BLEU (SARL),

Opposer,

v.

VENM, LLC,

Applicant.

Opposition No. 91212231

Application Ser. No. 85848528

ANSWER

Applicant, VENM, LLC (“VENM”), by and through its attorneys, hereby submits its Answer to the Notice of Opposition filed by Opposer Dragon Bleu (SARL) as follows, with the following numbered Paragraphs corresponding to the numbers of the Paragraphs of the Notice of Opposition under the headings used in the Notice of Opposition.

1. Admit.
2. Applicant does not possess sufficient information to determine the truth or falsity of this allegation, and accordingly, denies the same.
3. Applicant does not possess sufficient information to determine the truth or falsity of this allegation, and accordingly, denies the same.
4. Applicant does not possess sufficient information to determine the truth or falsity of this allegation, and accordingly, denies the same.
5. Deny.
6. Deny.
7. Deny.

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8. Applicant admits that if the opposed registration is granted, Applicant would have the right to use the mark VENM. Applicant denies the remaining allegations of paragraph 8 of the Notice of Opposition.

Opposer's Claimed Damages

VENM, LLC is without knowledge as to Opposer's belief that it will be damaged by the registration of Applicant's mark upon the Principal Register. Applicant denies that Opposer shall suffer any damage whatsoever, and denies that Opposer is entitled to any relief.

AFFIRMATIVE DEFENSES

First Affirmative Defense – Failure to State a Claim

9. Opposer has failed to state a claim upon which the relief it seeks can be granted.

Second Affirmative Defense – Opposer's Weak Marks

10. Opposer's marks cannot be accorded the deference due a strong, inherently distinctive and/or arbitrary mark, because none of them are strong, inherently distinctive or arbitrary.

Third Affirmative Defense – Difference in Marks

11. With regards to Opposer's Registration No. 3896673, the claimed mark consists of the stylized wording "VENUM" under a design of a snake's head within a circle. "VENUM" is written in a stylized font wherein the 'N' resembles a set of fangs. In addition, the mark "VENUM" has a distinctive sound. Applicant's Mark is substantially different than Opposer's Mark, and is unlikely to be confused therewith. In particular, Applicant's mark is drawn in a non-stylized font and appears substantially different. In addition, Applicant's mark has its own distinctive sound.

12. With regards to Opposer's Registration No. 3927787, the claimed mark consists of the stylized wording "VENUM" under a design of a snake's head within a circle. "VENUM" is written in a stylized font wherein the 'N' resembles a set of fangs. In addition, the mark "VENUM" has a distinctive sound. Applicant's Mark is substantially different than Opposer's Mark, and is unlikely to be confused therewith. In particular, Applicant's mark is drawn in a non-stylized font and appears substantially different. In addition, Applicant's mark has its own distinctive sound.
13. With regards to Opposer's Registration No. 4017907, the claimed mark consists of the stylized wording "VENUM" under a design of a snake's head. "VENUM" is written in a stylized font wherein the 'N' resembles a set of fangs. In addition, the mark "VENUM" has a distinctive sound. Applicant's Mark is substantially different than Opposer's Mark, and is unlikely to be confused therewith. In particular, Applicant's mark is drawn in a non-stylized font and appears substantially different. In addition, Applicant's mark has its own distinctive sound.
14. With regards to Opposer's Serial Number 79124129, the mark consists of the stylized wording "VENUM" under a design of a snake's head within a circle. "VENUM" is written in a stylized font wherein the 'N' resembles a set of fangs. In addition, the mark "VENUM" has a distinctive sound. Applicant's Mark is substantially different than Opposer's Mark, and is unlikely to be confused therewith. In particular, Applicant's mark is drawn in a non-stylized font and appears substantially different. In addition, Applicant's mark has its own distinctive sound.

Fourth Affirmative Defense – Different Goods or Services

15. There is no likelihood of confusion, mistake or deception because, inter alia, Applicant's mark and the pleaded Opposer's marks are drawn to entirely different goods and/or services.
16. The challenged Application is directed to class 25, and specifically to dance costumes. Applicant VENM designs, manufactures, markets and sells high quality stylish dance wear.
17. VENM targets the dancing market, including the pole dancing market. Its products include Crop Tank Tops, Spring Training Dolman Tops, Polekini outfits, and Thigh High Stirrup Leg Warmers.
18. Opposer's Registration No. 3896673 is directed to classes 24 and 26.
19. With regards to class 24, Opposer claims to use the mark on "Fabrics, namely, fabrics made of cotton, microfiber, polyamide, acrylic; fabrics for textile use; velvet; bed linen; household linen; table linen not of paper; bath linen; except clothing."
20. With regards to class 26, Opposer claims to use the mark on "Lace and embroidery, ribbons and braid; buttons, hooks and eyes, ornamental novelty pins and needles; artificial flowers; false beards, hair or moustaches; lace trimmings; wigs; clothing fasteners, namely clothing hooks or clasps; hair ornaments."
21. Opposer's Registration No. 3927787 is directed to class 25. Opposer claims to use the mark on "Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; Sport shoes, especially for the practice of martial arts."
22. Opposer's Registration No. 4017907 is directed to class 28. Opposer claims to use the mark on "Protective equipment for sports, namely, boxing gloves and gloves for randori,

shin guards, elbow guards, knee guards; protective padding for engaging in combat sports and martial arts.”

23. Opposer’s Serial Number 79124129 is directed to class 9. Opposer claims to use the mark on “Protective helmets for combat sports.”
24. All of the goods and services to which Opposer’s marks are directed are substantially different than the goods and services to which Applicant’s mark is directed.

Fifth Affirmative Defense – Different Marketing Channels

25. On information and belief, Opposer’s products are marketed through the website <http://www.venumfight.com>. This site appears to target the mixed martial arts market. There is no dancewear marketed on this website.
26. On information and belief, Opposer does not design, manufacture, market, or sell dance wear. Nor does Opposer market any of its products to consumers of dance wear.
27. Opposer has admitted that “[martial arts] goods are most commonly sold through specialized stores which cater exclusively to the fight sports and martial arts markets.” Exh. A, at 5 (emphasis added). Applicant does not sell its goods through specialized stores that cater to the fight sports and martial arts markets.
28. There is no likelihood of confusion, mistake or deception because Applicant’s opposed mark and the pleaded Opposer’s marks are used in entirely different marketing channels.

Sixth Affirmative Defense – Sophisticated Consumers

29. There is no likelihood of confusion, mistake or deception because Applicant’s goods are marketed to sophisticated dancers that exercise a high degree of care in their purchasing decisions, and clearly understand the difference between Opposer’s goods; i.e.; martial

art themed clothing and equipment, and Applicant's goods; i.e.; dance related costumes and equipment.

Seventh Affirmative Defense – Estoppel by Lack of Use and/or Abandonment

30. All of the marks asserted by Opposer were filed under Section 66(a) of the U.S. Trade-mark Act. As such, Opposer did not submit evidence of use of any of the asserted marks in the United States.
31. Opposer's Registration No. 3896673 is directed to classes 24 and 26.
32. With regards to class 24, Opposer claims to use the mark on "Fabrics, namely, fabrics made of cotton, microfiber, polyamide, acrylic; fabrics for textile use; velvet; bed linen; household linen; table linen not of paper; bath linen; except clothing."
33. With regards to class 26, Opposer claims to use the mark on "Lace and embroidery, ribbons and braid; buttons, hooks and eyes, ornamental novelty pins and needles; artificial flowers; false beards, hair or moustaches; lace trimmings; wigs; clothing fasteners, namely clothing hooks or clasps; hair ornaments."
34. On information and belief, Opposer does not use the mark "VENUM" on each and every product and/or service for which it registered the asserted mark, and is accordingly estopped from asserting Registration No. 3896673. For example, and without limitation, Applicant's investigation did not uncover use of the mark "VENUM" on bed linen, household linen, table linen, ribbons and braids, ornamental novelty pins and needles, artificial flowers, false beards, hairs or moustaches, lace trimmings, wigs, clothing hooks or clasps, and hair ornaments. Accordingly, this mark was either never used or is now abandoned, and Opposer is estopped from its assertion.

Eighth Affirmative Defense – Estoppel by Statements Made to Secure Registration

35. During prosecution of Reg. No. 3927787, Opposer sought registration of the mark “VENUM” in International Class 25. This registration was initially rejected by an Office Action dated April 22, 2010 as likely causing confusion with Reg. No. 3,676,523, which is directed to the mark “VENOM” for use in connection with “Ski and snowboard wear, namely jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps, hoods, mittens, sweatshirts, waterproof and water repellant jackets and pants” in International Class 25.
36. In Opposer’s response, filed on October 22, 2010, attached hereto as Exh. A, Opposer argued that “both marks are specifically and narrowly directed to clothing used in connection with the entirely unrelated sports of skiing and martial arts respectively [...]” Opposer then went on to admit that the “cited mark coexists with a number of registered VENOM-formative marks for other sporting goods [...],” Exh. A, at 3, and that “the VENOM mark itself is widely used in the sporting goods industry, and is registered by different parties in connection with the sports of baseball, cycling, billiards, and sport shooting.” Exh. A, at 3.
37. Opposer goes on to admit that martial arts goods are not likely to be confused with any other type of sporting goods by consumers in the marketplace. In particular, Opposer argues that “[s]port is a very broad category that encompasses many different types of activities that speak to widely varied interests [...],” Exh. A, at 4, and that the traditional likelihood of confusion analysis simply does not apply to different types of specialty markets. Exh. A, at 5.

38. Opposer also admitted that martial arts goods are most commonly sold through specialty retailers. For example, Opposer argued that “[martial arts] goods are most commonly sold through specialized stores which cater exclusively to the fight sports and martial arts markets.” Exh. A, at 5 (emphasis added).
39. Given these admissions, Opposer is estopped from asserting that Applicant’s mark “VENM,” which seeks registration in International Class 25 for “dance costumes” could cause confusion with Opposer’s mark “VENUM,” which is restricted exclusively to martial arts related products.

COUNTERCLAIM

First Ground – Lack of Distinctiveness

40. Applicant incorporates by reference all of its responses to Opposer’s allegations in paragraphs 1-8, and its affirmative representations in paragraphs 9-39.
41. Applicant is the owner of pending Trademark App. Ser. No. 85848528, which is directed to the mark “VENM.” It has been filed in international class 25 for dance costumes. *See* Exh. C.
42. None of Opposer’s asserted marks have been registered for five years, and accordingly, none are incontestable. Moreover, all can be challenged for any grounds. *See Saddle Springs v. Mad Croc Brands*, TTAB Proc. No. 92055493.
43. Applicant hereby seeks cancellation of asserted Reg. Nos. 3896673, 3927787, and 4017907 (“the asserted registrations”).
44. All of the asserted registrations are directed to the mark “VENUM.” As asserted herein, the mark “VENUM” is not distinctive as numerous others make use of confusingly similar marks (at least as Opposer has asserted its marks). For example, the mark “VENUM”

is used by Optec USA on spinal braces for medical use. *See* Ser. No. 85535608, Reg. No. 4314403. Similarly, the mark “VENUM” is used by Jamie Burgos to denote dance performances. *See* Ser. No. 78927571, Reg. No. 3295728. In addition, there are numerous uses of the similar term “VENOM,” such as by UnderArmor on shoes, by Venomwear on clothing, and again on clothing by a clothing store in Memphis, Tennessee. *See* Exh. B, collecting registered and unregistered uses of VENOM.

45. During prosecution Opposer expressly stated that it would limit the mark to martial arts related goods. *See* Exh. A, at 3-6. Opposer made this statement to secure registration of its mark. Opposer now attempts to assert its mark to cover dance costumes, in direct contravention of the argument it made to secure registration of its mark. Accordingly, Opposer has effectively “revoked” its agreement to limit its mark to martial arts related goods, which was the only reason that its mark was found distinctive. Opposer should not be allowed to argue that its mark is distinctive as it is restricted to martial arts goods and equipment and then use the same mark to oppose what it claims is a similar mark directed to dance costumes.
46. Accordingly, the mark “VENUM” reflected in Reg. Nos. 3896673, 3927787, and 4017907 is not distinctive as asserted by Opposer.
47. Applicant will be damaged by the continued registration of the marks in the asserted registrations.

Second Ground – Lack of Use and/or Abandonment

48. Opposer’s Registration No. 3896673 is directed to classes 24 and 26.

49. With regards to class 24, Opposer claims to use the mark on “Fabrics, namely, fabrics made of cotton, microfiber, polyamide, acrylic; fabrics for textile use; velvet; bed linen; household linen; table linen not of paper; bath linen; except clothing.”
50. With regards to class 26, Opposer claims to use the mark on “Lace and embroidery, ribbons and braid; buttons, hooks and eyes, ornamental novelty pins and needles; artificial flowers; false beards, hair or moustaches; lace trimmings; wigs; clothing fasteners, namely clothing hooks or clasps; hair ornaments.”
51. During prosecution of Registration No. 3896673, Opposer did not submit evidence of use during prosecution of the asserted registration.
52. On information and belief, Opposer does not use the mark “VENUM” on each and every product and/or service for which it registered the asserted mark, and accordingly Reg. No. 3896673 should be cancelled. For example, and without limitation, Applicant’s investigation did not uncover use of the mark “VENUM” on bed linen, household linen, table linen, ribbons and braids, ornamental novelty pins and needles, artificial flowers, false beards, hairs or moustaches, lace trimmings, wigs, clothing hooks or clasps, and hair ornaments. Accordingly, this mark was either never used or is now abandoned, and Reg. No. 3896673 should be cancelled.

FEE

53. Applicant is herewith filing the statutory fee for its counterclaim.

ADDITIONAL DEFENSES AND COUNTERCLAIMS

54. Applicant hereby reserves the right to assert additional defenses and/or counterclaims based on information learned or obtained during discovery.

WHEREFORE, Applicant prays for judgment as follows:

- (a) this opposition be dismissed with prejudice;
- (b) for the cancellation of U.S. Trademark Reg. Nos. 3896673, 3927787, and 4017907;
- (c) that Registration for Applicant's trademark application Serial Number 85848528 is issued to Applicant.

Respectfully submitted,

VENM, LLC

By: /Konrad Sherinian/

Konrad Sherinian
Depeng Bi
THE LAW OFFICES OF KONRAD SHERINIAN, LLC
1755 Park Street
Suite # 200
Naperville, Illinois 60563
Phone: (630) 318-2606
Fax: (630) 318-2605
Email: ksherinian@sherinianlaw.net

CERTIFICATE OF SERVICE

I, Konrad Sherinian, an attorney, hereby certify that on October 7, 2013, the listed documents were served on Opposer by delivering a true and correct copy thereof to the address of Opposer's Attorney by depositing the same with the United States Postal Service, postage pre-paid, via first class mail, addressed to:

Aaron Silverstein
Saunders + Silverstein LLP
14 Cedar Street, Suite 224
Amesbury, MA 01913

SERVED DOCUMENTS

- Answer and Exhibits A-C
- Certificate of Mailing
- Certificate of Service

By _____
Konrad Sherinian

Konrad Sherinian (ARDC No. 6290749)
THE LAW OFFICES OF KONRAD SHERINIAN, LLC
1755 Park Street
Suite # 200
Naperville, Illinois 60563
P: (630) 318-2606
F: (630) 318-2605


CERTIFICATE OF MAILING

I, Konrad Sherinian, an attorney, hereby certify this correspondence is being deposited with the United States Postal Service, Express Mail, on October 7, 2013 in an envelope addressed to:

ATTN: Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MAILED DOCUMENTS

- Answer and Exhibits A-C
- Certificate of Service
- Certificate of Mailing

By  _____
Konrad Sherinian

Konrad Sherinian (ARDC No. 6290749)
THE LAW OFFICES OF KONRAD SHERINIAN, LLC
1755 Park Street
Suite # 200
Naperville, Illinois 60563
P: (630) 318-2606
F: (630) 318-2605

EXHIBIT A

Proceeding Number 91212231

Dragon Bleu (SARL)

v

VENM, LLC

Offered by VENM, LLC

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79063381
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION (no change)	
ARGUMENT(S)	
<p style="text-align: center;"><u>RESPONSE TO OFFICE ACTION DATED APRIL 22, 2010</u></p> <p>In an Office Action dated April 22, 2010, the Examining Attorney preliminarily refused registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), citing Reg. No. 3,676,523 for the mark VENOM for use in connection with "Ski and snowboard wear, namely, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants" in International Class 25.</p> <p>The Examining Attorney also refused registration based on the alleged indefinite nature of the description of services. Based on the following analysis, Applicant respectfully requests the Examining Attorney withdraw his refusal and pass Applicant's mark to publication.</p> <p style="text-align: center;"><u>AMENDMENTS</u></p> <p>Applicant amends the identification of goods in International Class 25 to read as follows:</p> <p>"Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; Sport shoes, especially for the practice of martial arts"</p> <p style="text-align: center;"><u>REMARKS</u></p> <p>I. Identification of Goods in Class 25</p> <p>The Examining attorney rejected the identification of goods and services in International Class 25 as indefinite. The applicant has thus amended the goods and services as follows:</p> <p>Clothing <u>Martial arts and boxing clothes, namely, fightsports and boxing clothes, namely, t-shirts,</u></p>	

~~fight sports, martial arts uniforms, shorts, kimonos; headgear, namely, hats, caps; shirts; belts as clothing; gloves as clothing; Sport shoes, especially for the practice of fight sports martial arts~~

The revised description adopts the language proposed by the Examining Attorney, and further narrows the scope of the identified goods. Accordingly, it is respectfully submitted that the identification of goods and services in Class 25 should be accepted as amended.

II. THERE IS NO LIKELIHOOD OF CONFUSION WITH REGISTRATION NO. 3,676,523

Applicant respectfully submits that Applicant's VENUM (plus design) mark is not likely to cause confusion with the cited registration for VENOM because both marks are specifically and narrowly directed to clothing used in connection with the entirely unrelated sports of skiing and martial arts respectively, especially when cited mark coexists with a number of registered VENOM-formative marks for other sporting goods. Given the different natures of the goods, the different sets of interests that these sports appeal too, and the different channels of trade, the marks are sufficiently distinct to make confusion unlikely.

In determining whether a likelihood of confusion exists, each case must be decided on the basis of all relevant factors, including the goods and services in question and the marketing environment in which consumers normally encounter them. *In re Bigelow, Inc.*, 199 USPQ 38, 40 (TTAB 1978). Even where similar marks are applied to goods used in a common industry, the Trademark Trial and Appeal Board has not hesitated to find an absence of likelihood of confusion where goods differ or where there is no evidence that the respective goods would be encountered by the same consumers. *In re Fesco, Inc.*, 219 USPQ 437 (TTAB 1983) (FESCO for farm equipment distributorships not likely to be confused with FESCO for fertilizer and processing equipment). Furthermore, products which perform different functions, even if used next to each other or together, are not necessarily in competition such that confusion is likely. *Life Technologies, Inc. v. Gibbco Scientific, Inc.*, 826 F.2d 775, 776 (8th Cir. 1987) (No confusion between GIBCO for micro-biological and tissue culture products and GIBBCO for blood chemistry analyzers).

A. The Goods Are Sufficiently Distinct to Avoid Confusion in the Marketplace

As amended, Applicant's goods are limited to clothing used in connection with a particular sport, namely martial arts. Likewise, registrant's goods are narrowly constrained to clothing used in connection with the entirely different sport of skiing. Average consumers do not ordinarily associate

these sports with one another, and indeed would not expect that a company offering a line of skiwear would also be selling martial arts kimonos, or vice versa.

The differences between the sports of skiing and martial arts translate into significant differences in the nature and function of the actual goods in question. Skiing is an outdoor winter sport where the purpose and function of the clothing is to protect the wearer from the cold and other weather conditions. In contrast, martial arts is an indoor sport not associated with any particular season, where the objective of Applicant's goods is to survive the wear and tear inherent in the sport while keeping the wearer cool. Given these different purposes and functions, there is no risk that a consumer would accidentally select Applicant's goods believing them appropriate for the ski slopes, or select the registered mark's goods believing them appropriate for the octagon.

Moreover, the sports of skiing and martial arts appeal to entirely different sets of interests, and thus the markets and audiences for the goods associated therewith are entirely distinct. Sport is a very broad category that encompasses many different types of activities that speak to widely varied interests.

Because of this, even identical marks are allowed to coexist for sporting goods associated with different sports. Indeed, the VENOM mark itself is widely used in the sporting goods industry, and is registered by different parties in connection with the sports of baseball, cycling, billiards, and sport shooting. *See Ex. A* (collecting registrations for VENOM for use in connection with baseball bats, bicycles, billiard cues, and rifle scopes).

The market for skiing, for example, is individuals who are interested winter sports, the outdoors, and the rush of going downhill fast, among others. None of those interests, however, overlap with the interests served by the martial arts, which speak to an enjoyment of physical confrontation, and mastering the techniques of defeating an opponent in hand-to-hand combat. Indeed, the interests served by skiing are far more similar to cycling — in which the cited mark coexists with Reg. No. 3,000,634 covering VENOM for bicycles — than it does with the martial arts. *See Ex. A*. With such vastly different interests served by these sports, the skiing and martial arts industries are not related in any meaningful manner, and thus, given the different markets for Applicant's and Registrant's goods, confusion is unlikely.

In addition, because of the different interests served by the skiing and martial arts industries, average consumers do not associate these sports with one another, and thus would not expect a common source

of origin even were they to encounter a similar trademark.^[1] Moreover, the *Cambridge Rubber Co. v. Cluett, Peabody & Co.*, 286 F.2d 623 (C.C.P.A. 1961) line of cases are not applicable, as none of these cases involve specialty clothing intended for use with a particular sport. Each of the cases cited by the examiner involve general, everyday clothing items such as shoes, shirts, pants, and underwear, which are found related regardless of whether they are marketed to men, women, or children. This holding makes sense in the context of everyday clothing items, where the general industry practice is for one company to offer lines of clothing for men, women, and children. The same logic, however, cannot be extended to specialty clothing, where there is no common industry practice to serve both the martial arts and skiwear markets. Indeed, extending this line of cases to cover skiwear and martial arts clothing is tantamount to holding that every good in International Class 25 is related to every other good in the class, which would stretch the reasoning of these cases well past its breaking point.

B. The Differing Channels of Trade Also Make Confusion Unlikely

In addition to the differences between the goods themselves, Applicant's goods do not generally travel through the same channels of trade as skiwear, thus making confusion even more unlikely.

Applicant's goods are most commonly sold through specialized stores which cater exclusively to the fight sports and martial arts markets. *See* Ex. B. These stores do not offer skiwear and are not likely to be encountered by consumers seeking out skiwear. *See e.g.*, Ex. C, www.fightrack.com. Thus, most consumers who encounter Applicant's mark will do so at these specialty stores, where confusion is highly unlikely.

Moreover, to the extent that Applicant's goods may be available at the department store-like sporting goods stores, such as Sports Authority or Dicks Sporting Goods, they will be in different departments, and thus are unlikely to be encountered by the same consumers. *See Recot Inc. v. M.C. Becton*, 214 F.3d 1322, 1330 (Fed. Cir. 2000) ("the law is that products should not be deemed related simply because they are sold in the same kind of establishments" such as a supermarket or department store). Also, consumers at these stores are readily able to distinguish between VENOM marks in different departments, as they will very likely also encounter VENOM baseball bats (Reg. No. 2,969,824), VENOM bicycles (Reg. No. 3,000,634), VENOM billiard cues (Reg. No. 3,577,338), and VENOM rifle scopes (Reg. No. 3,858,110). *See* Ex. A.

C. Given the Different Goods, the Marks Are Sufficiently Distinct to Render Confusion Unlikely

As discussed above, the goods claimed by Applicant are significantly different from those in the cited registration. Given these differences and the number of VENOM-formative marks associated with sporting goods, the marks in question are sufficiently different to make confusion unlikely in the marketplace.

Visually, the marks are readily distinguishable by the prominent design element and novel spelling of Applicant's VENUM mark. Ordinary consumers, who (as discussed above) are unlikely to associate skiwear with martial arts clothing in the first place, will readily pick up on these differences to distinguish Applicant's goods from the pack of other VENUM formative sporting goods marks. Thus, the clear differences in the marks will avoid any possibility of confusion in the crowded marketplace. Moreover, because of the limited goods claimed in connection with both marks, and the number of other VENOM-formative marks, consumers who encounter the marks aurally will likely do so in a context that makes the goods and their origin plain. For example, if they hear a radio advertisement for a VENUM kimono, there will be no confusion as to whose products are being advertised. Thus, the marks are distinct enough to avoid confusion when used in connection with the widely different goods claimed in connection with these marks.

I. CONCLUSION

The cited VENOM mark for skiwear coexists in the marketplace with a number of VENOM branded sporting goods, and thus there is no reason to suspect that the use of Applicant's VENUM (plus design) mark for the totally unrelated sports of martial arts and boxing will cause confusion if registered. This is especially true, given that the clothing items in question are significantly different and the sports themselves appeal to an entirely different audiences with greatly different interests. Thus, Applicant respectfully requests that the pending office action be withdrawn and that its application be allowed to proceed to publication.

[1] Applicant notes that the third party registrations cited by the examiner do not prove that the alleged overlap between skiwear and martial arts clothing is so pervasive that ordinary consumers will presume both emanate from a common source. First and foremost, Registration No. 3,223,416 for DJ DERTY JERSEY is suspect given the fact that it is owned by an individual and claims a laundry list of goods including everything from hockey pants to baby bibs, and yet whose products do not appear to be available for sale via any online retailer.

For the remaining registrations, the fact they only include "ski gloves" and do not include the other skiwear goods one would expect, such as ski pants, parkas, and the like, tends to suggest that the registrant doesn't really deal in skiwear. In any event, three registrations that mention gloves in

passing is hardly sufficient evidence from which to conclude that consumers ordinarily presume skiwear and martial arts clothing emanate from a common source, especially where there is no evidence of record of any company actually selling both a line of skiwear and martial arts clothing.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
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	<u>\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0019.JPG</u>
	<u>\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0020.JPG</u>
	<u>\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0021.JPG</u>
ORIGINAL PDF FILE	<u>evi 64140207110-120216982 . exhibit c final.pdf</u>
CONVERTED PDF	

FILE(S) (7 pages)	\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0022.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0023.JPG
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	\\TICRS\EXPORT11\IMAGEOUT11\790\633\79063381\xml2\RFR0028.JPG
DESCRIPTION OF EVIDENCE FILE	Exhibit A - USPTO trademark registration records. Exhibit B - Screenshot of applicant's website. Exhibit C - Screenshot of website.
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	025
DESCRIPTION	
Clothing, namely, fightsports and boxing clothes, namely, t-shirts, fightsports, shorts, kimonos; headgear, namely, hats, caps; shirts; belts as clothing; gloves as clothing; sport shoes, especially for the practice of fightsports	
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	025
TRACKED TEXT DESCRIPTION	
Clothing, namely, fightsports and boxing clothes, namely, t-shirts, fightsports, shorts, kimonos; Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; headgear, namely, hats, caps; Sport shoes, especially for the practice of martial arts; shirts; belts as clothing; gloves as clothing; sport shoes, especially for the practice of fightsports	
FINAL DESCRIPTION	
Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; Sport shoes, especially for the practice of martial arts	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/asilverstein/
SIGNATORY'S NAME	Aaron Silverstein
SIGNATORY'S POSITION	Attorney of record, Massachusetts bar member
DATE SIGNED	10/22/2010
AUTHORIZED SIGNATORY	YES

CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Oct 22 12:52:42 EDT 2010
TEAS STAMP	USPTO/RFR-64.140.207.110- 20101022125242357077-7906 3381-470c4742aec2e8cee7bb 2d04bc7ed45a-N/A-N/A-2010 1022120216982121

PTO Form (Rev. 4/2000)
OMB No. 0651-0047 (Exp. 08/31/2004)

**Request for Reconsideration after Final Action
To the Commissioner for Trademarks:**

Application serial no. **79063381** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

RESPONSE TO OFFICE ACTION DATED APRIL 22, 2010

In an Office Action dated April 22, 2010, the Examining Attorney preliminarily refused registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), citing Reg. No. 3,676,523 for the mark VENOM for use in connection with "Ski and snowboard wear, namely, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants" in International Class 25.

The Examining Attorney also refused registration based on the alleged indefinite nature of the description of services. Based on the following analysis, Applicant respectfully requests the Examining Attorney withdraw his refusal and pass Applicant's mark to publication.

AMENDMENTS

Applicant amends the identification of goods in International Class 25 to read as follows:

"Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; Sport shoes, especially for the practice of martial arts"

REMARKS

I. Identification of Goods in Class 25

The Examining attorney rejected the identification of goods and services in International Class 25 as indefinite. The applicant has thus amended the goods and services as follows:

~~Clothing~~ Martial arts and boxing clothes, namely, ~~fightsports and boxing clothes, namely, t-shirts, fightsports, martial arts uniforms, shorts, kimonos; headgear, namely, hats, caps; shirts; belts as clothing; gloves as clothing;~~ Sport shoes, especially for the practice of fightsports martial arts

The revised description adopts the language proposed by the Examining Attorney, and further narrows the scope of the identified goods. Accordingly, it is respectfully submitted that the identification of goods and services in Class 25 should be accepted as amended.

II. THERE IS NO LIKELIHOOD OF CONFUSION WITH REGISTRATION NO. 3,676,523

Applicant respectfully submits that Applicant's VENUM (plus design) mark is not likely to cause confusion with the cited registration for VENOM because both marks are specifically and narrowly directed to clothing used in connection with the entirely unrelated sports of skiing and martial arts respectively, especially when cited mark coexists with a number of registered VENOM-formative marks for other sporting goods. Given the different natures of the goods, the different sets of interests that these sports appeal too, and the different channels of trade, the marks are sufficiently distinct to make confusion unlikely.

In determining whether a likelihood of confusion exists, each case must be decided on the basis of all relevant factors, including the goods and services in question and the marketing environment in which consumers normally encounter them. *In re Bigelow, Inc.*, 199 USPQ 38, 40 (TTAB 1978). Even where similar marks are applied to goods used in a common industry, the Trademark Trial and Appeal Board has not hesitated to find an absence of likelihood of confusion where goods differ or where there is no evidence that the respective goods would be encountered by the same consumers. *In re Fesco, Inc.*, 219 USPQ 437 (TTAB 1983) (FESCO for farm equipment distributorships not likely to be confused with FESCO for fertilizer and processing equipment). Furthermore, products which perform different functions, even if used next to each other or together, are not necessarily in competition such that confusion is likely. *Life Technologies, Inc. v. Gibbco Scientific, Inc.*, 826 F.2d 775, 776 (8th Cir. 1987) (No confusion between GIBCO for micro-biological and tissue culture products and GIBBCO for blood

chemistry analyzers).

A. The Goods Are Sufficiently Distinct to Avoid Confusion in the Marketplace

As amended, Applicant's goods are limited to clothing used in connection with a particular sport, namely martial arts. Likewise, registrant's goods are narrowly constrained to clothing used in connection with the entirely different sport of skiing. Average consumers do not ordinarily associate these sports with one another, and indeed would not expect that a company offering a line of skiwear would also be selling martial arts kimonos, or vice versa.

The differences between the sports of skiing and martial arts translate into significant differences in the nature and function of the actual goods in question. Skiing is an outdoor winter sport where the purpose and function of the clothing is to protect the wearer from the cold and other weather conditions. In contrast, martial arts is an indoor sport not associated with any particular season, where the objective of Applicant's goods is to survive the wear and tear inherent in the sport while keeping the wearer cool. Given these different purposes and functions, there is no risk that a consumer would accidentally select Applicant's goods believing them appropriate for the ski slopes, or select the registered mark's goods believing them appropriate for the octagon.

Moreover, the sports of skiing and martial arts appeal to entirely different sets of interests, and thus the markets and audiences for the goods associated therewith are entirely distinct. Sport is a very broad category that encompasses many different types of activities that speak to widely varied interests.

Because of this, even identical marks are allowed to coexist for sporting goods associated with different sports. Indeed, the VENOM mark itself is widely used in the sporting goods industry, and is registered by different parties in connection with the sports of baseball, cycling, billiards, and sport shooting. *See* Ex. A (collecting registrations for VENOM for use in connection with baseball bats, bicycles, billiard cues, and rifle scopes).

The market for skiing, for example, is individuals who are interested winter sports, the outdoors, and the rush of going downhill fast, among others. None of those interests, however, overlap with the interests served by the martial arts, which speak to an enjoyment of physical confrontation, and mastering the techniques of defeating an opponent in hand-to-hand combat. Indeed, the interests served by skiing are far more similar to cycling — in which the cited mark coexists with Reg. No. 3,000,634 covering VENOM for bicycles — than it does with the martial arts. *See* Ex. A. With such vastly different interests served

by these sports, the skiing and martial arts industries are not related in any meaningful manner, and thus, given the different markets for Applicant's and Registrant's goods, confusion is unlikely.

In addition, because of the different interests served by the skiing and martial arts industries, average consumers do not associate these sports with one another, and thus would not expect a common source of origin even were they to encounter a similar trademark.^[1] Moreover, the *Cambridge Rubber Co. v. Cluett, Peabody & Co.*, 286 F.2d 623 (C.C.P.A. 1961) line of cases are not applicable, as none of these cases involve specialty clothing intended for use with a particular sport. Each of the cases cited by the examiner involve general, everyday clothing items such as shoes, shirts, pants, and underwear, which are found related regardless of whether they are marketed to men, women, or children. This holding makes sense in the context of everyday clothing items, where the general industry practice is for one company to offer lines of clothing for men, women, and children. The same logic, however, cannot be extended to specialty clothing, where there is no common industry practice to serve both the martial arts and skiwear markets. Indeed, extending this line of cases to cover skiwear and martial arts clothing is tantamount to holding that every good in International Class 25 is related to every other good in the class, which would stretch the reasoning of these cases well past its breaking point.

B. The Differing Channels of Trade Also Make Confusion Unlikely

In addition to the differences between the goods themselves, Applicant's goods do not generally travel through the same channels of trade as skiwear, thus making confusion even more unlikely.

Applicant's goods are most commonly sold through specialized stores which cater exclusively to the fight sports and martial arts markets. *See* Ex. B. These stores do not offer skiwear and are not likely to be encountered by consumers seeking out skiwear. *See e.g.*, Ex. C, www.fightrack.com. Thus, most consumers who encounter Applicant's mark will do so at these specialty stores, where confusion is highly unlikely.

Moreover, to the extent that Applicant's goods may be available at the department store-like sporting goods stores, such as Sports Authority or Dicks Sporting Goods, they will be in different departments, and thus are unlikely to be encountered by the same consumers. *See Recot Inc. v. M.C. Becton*, 214 F.3d 1322, 1330 (Fed. Cir. 2000) ("the law is that products should not be deemed related simply because they are sold in the same kind of establishments" such as a supermarket or department store). Also, consumers at these stores are readily able to distinguish between VENOM marks in different departments, as they will very likely also encounter VENOM baseball bats (Reg. No. 2,969,824), VENOM bicycles (Reg. No.

3,000,634), VENOM billiard cues (Reg. No. 3,577,338), and VENOM rifle scopes (Reg. No. 3,858,110).

See Ex. A.

C. Given the Different Goods, the Marks Are Sufficiently Distinct to Render Confusion Unlikely

As discussed above, the goods claimed by Applicant are significantly different from those in the cited registration. Given these differences and the number of VENOM-formative marks associated with sporting goods, the marks in question are sufficiently different to make confusion unlikely in the marketplace.

Visually, the marks are readily distinguishable by the prominent design element and novel spelling of Applicant's VENUM mark. Ordinary consumers, who (as discussed above) are unlikely to associate skiwear with martial arts clothing in the first place, will readily pick up on these differences to distinguish Applicant's goods from the pack of other VENUM formative sporting goods marks. Thus, the clear differences in the marks will avoid any possibility of confusion in the crowded marketplace.

Moreover, because of the limited goods claimed in connection with both marks, and the number of other VENOM-formative marks, consumers who encounter the marks aurally will likely do so in a context that makes the goods and their origin plain. For example, if they hear a radio advertisement for a VENUM kimono, there will be no confusion as to whose products are being advertised. Thus, the marks are distinct enough to avoid confusion when used in connection with the widely different goods claimed in connection with these marks.

I. CONCLUSION

The cited VENOM mark for skiwear coexists in the marketplace with a number of VENOM branded sporting goods, and thus there is no reason to suspect that the use of Applicant's VENUM (plus design) mark for the totally unrelated sports of martial arts and boxing will cause confusion if registered. This is especially true, given that the clothing items in question are significantly different and the sports themselves appeal to an entirely different audiences with greatly different interests. Thus, Applicant respectfully requests that the pending office action be withdrawn and that its application be allowed to proceed to publication.

[1] Applicant notes that the third party registrations cited by the examiner do not prove that the alleged overlap between skiwear and martial arts clothing is so pervasive that ordinary consumers will presume

both emanate from a common source. First and foremost, Registration No. 3,223,416 for DJ DERTY JERSEY is suspect given the fact that it is owned by an individual and claims a laundry list of goods including everything from hockey pants to baby bibs, and yet whose products do not appear to be available for sale via any online retailer.

For the remaining registrations, the fact they only include “ski gloves” and do not include the other skiwear goods one would expect, such as ski pants, parkas, and the like, tends to suggest that the registrant doesn’t really deal in skiwear. In any event, three registrations that mention gloves in passing is hardly sufficient evidence from which to conclude that consumers ordinarily presume skiwear and martial arts clothing emanate from a common source, especially where there is no evidence of record of any company actually selling both a line of skiwear and martial arts clothing.

EVIDENCE

Evidence in the nature of Exhibit A - USPTO trademark registration records. Exhibit B - Screenshot of applicant's website. Exhibit C - Screenshot of website. has been attached.

Original PDF file:

evi 64140207110-120216982 . exhibit a final.pdf

Converted PDF file(s) (13 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

Evidence-7

Evidence-8

Evidence-9

Evidence-10

Evidence-11

Evidence-12

Evidence-13

Original PDF file:

evi 64140207110-120216982 . exhibit b final.pdf

Converted PDF file(s) (7 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

Evidence-7

Original PDF file:

evi 64140207110-120216982 . exhibit c final.pdf

Converted PDF file(s) (7 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

Evidence-5

Evidence-6

Evidence-7

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 025 for Clothing, namely, fightsports and boxing clothes, namely, t-shirts, fightsports, shorts, kimonos; headgear, namely, hats, caps; shirts; belts as clothing; gloves as clothing; sport shoes, especially for the practice of fightsports

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Clothing, namely, fightsports and boxing clothes, namely, t-shirts, fightsports, shorts, kimonos; Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; headgear, namely, hats, caps; Sport shoes, especially for the practice of martial arts; shirts; belts as clothing; gloves as clothing; sport shoes, especially for the practice of fightsports~~

Class 025 for Martial arts and boxing clothes, namely, martial arts uniforms, shorts, kimonos; Sport shoes, especially for the practice of martial arts

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /asilverstein/ Date: 10/22/2010

Signatory's Name: Aaron Silverstein

Signatory's Position: Attorney of record, Massachusetts bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79063381

Internet Transmission Date: Fri Oct 22 12:52:42 EDT 2010

TEAS Stamp: USPTO/RFR-64.140.207.110-201010221252423

57077-79063381-470c4742aec2e8cee7bb2d04b

c7ed45a-N/A-N/A-20101022120216982121

EXHIBIT A

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-10-21 16:48:09 ET

Serial Number: 78241340 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2969824

Mark (words only): VENOM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-04-23

Transformed into a National Application: No

Registration Date: 2005-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-07-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

I. Nike, Inc.

Address:

Nike, Inc.
One Bowerman Drive
Beaverton, OR 970056453
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Oregon

Phone Number: 503-671-6453

Fax Number: 503-671-5777

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

Sports equipment, namely baseball and softball bats

Basis: 1(a)

First Use Date: 2002-01-09

First Use in Commerce Date: 2002-01-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-10-15 - Attorney Revoked And/Or Appointed

2010-10-15 - TEAS Revoke/Appoint Attorney Received

2009-06-23 - Attorney Revoked And/Or Appointed

2009-06-23 - TEAS Revoke/Appoint Attorney Received

2008-09-26 - TEAS Change Of Correspondence Received

2008-08-27 - Attorney Revoked And/Or Appointed

2008-08-27 - TEAS Revoke/Appoint Attorney Received

2005-07-19 - Registered - Principal Register

2005-04-26 - Published for opposition

2005-04-06 - Notice of publication

2005-02-08 - Law Office Publication Review Completed

2005-01-28 - Assigned To LIE

2005-01-27 - Approved for Pub - Principal Register (Initial exam)

2004-08-18 - Report Completed Suspension Check Case Still Suspended

2004-03-04 - Letter of suspension mailed

2004-01-30 - Communication received from applicant

2004-01-30 - TEAS Response to Office Action Received

2003-10-03 - Non-final action mailed

2003-09-30 - Assigned To Examiner

2003-05-27 - Communication received from applicant

2003-06-12 - Case File In TIGRS

2003-05-27 - TEAS Voluntary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jaime M. Lemons, Stephanie J. Vardavas

Correspondent

Jaime M. Lemons, Stephanie J. Vardavas

Nike, Inc.

One Bowerman Drive, DF-4

Beaverton OR 97005

Phone Number: 503-671-6453

Fax Number: 503-646-6926

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-10-21 16:48:37 ET

Serial Number: 78228636 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3000634

Mark (words only): VENOM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-09-27

Filing Date: 2003-03-21

Transformed into a National Application: No

Registration Date: 2005-09-27

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-09-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Raleigh America, Inc.

Address:

Raleigh America, Inc.
22710 - 72nd Avenue South
Kent, WA 98032
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 012

Class Status: Active

Bicycles

Basis: 1(a)

First Use Date: 1996-06-01

First Use in Commerce Date: 1996-06-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2005-09-27 - Registered - Principal Register

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication

2005-03-28 - Law Office Publication Review Completed

2005-03-25 - Assigned To LIE

2005-03-19 - Approved for Pub - Principal Register (Initial exam)

2005-03-17 - Teas/Email Correspondence Entered

2005-03-11 - Communication received from applicant

2005-03-11 - TEAS Response to Office Action Received

2005-01-04 - Final refusal e-mailed

2005-01-04 - Final Refusal Written

2004-11-23 - Petition To Revive-Granted

2004-07-14 - Petition To Revive-Received

2004-07-09 - PAPER RECEIVED

2004-05-11 - Abandonment - Failure To Respond Or Late Response

2003-09-11 - Non-final action e-mailed

2003-09-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Bruce T. Goto

RIDDELL WILLIAMS P

1001 4TH AVE STE 4500

SEATTLE WA 98154-1192

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-10-21 16:48:59 ET

Serial Number: 77289738 [Assignment Information](#)

[Trademark Document Retrieval](#)

Registration Number: 3577338

Mark

VENOM

(words only): VENOM

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2009-02-17

Filing Date: 2007-09-26

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2009-02-17

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-01-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. CLAWSON CUSTOM CUES, INC

Address:

CLAWSON CUSTOM CUES, INC
5055-5 ST AUGUSTINE RD
JACKSONVILLE, FL 32207
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Florida
Phone Number: 904-448-8748
Fax Number: 904-448-9151

GOODS AND/OR SERVICES

International Class: 028
Class Status: Active
Billiard cues
Basis: 1(a)
First Use Date: 2007-10-24
First Use in Commerce Date: 2007-10-24

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-02-17 - Registered - Principal Register

2009-01-14 - Law Office Registration Review Completed

2009-01-12 - Allowed for Registration - Principal Register (SOU accepted)

2008-12-12 - Statement Of Use Processing Complete

2008-12-02 - Use Amendment Filed

2008-12-10 - Case Assigned To Intent To Use Paralegal

2008-12-02 - TEAS Statement of Use Received

2008-12-01 - TEAS Change Of Correspondence Received

2008-06-03 - NOA Mailed - SOU Required From Applicant

2008-03-11 - Published for opposition

2008-02-20 - Notice of publication
2008-02-04 - Law Office Publication Review Completed
2008-02-04 - Assigned To LIE
2007-12-26 - Approved For Pub - Principal Register
2007-12-26 - Assigned To Examiner
2007-10-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CLAWSON CUSTOM CUES INC.
11764 Marco Beach Drive
Jacksonville FL 32224-7684
Phone Number: 904-448-8748
Fax Number: 904-448-9151

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-10-21 16:49:13 ET

Serial Number: 77839565 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3858110

Mark

VENOM

(words only): VENOM

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2010-10-05

Filing Date: 2009-10-01

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2010-10-05

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-08-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sheltered Wings, Inc.

Address:

Sheltered Wings, Inc.
2120 West Greenview Drive, Suite Four
Middletown, WI 53562
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Wisconsin

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Riflescopes
Basis: 1(a)
First Use Date: 2010-05-00
First Use in Commerce Date: 2010-05-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-10-05 - Registered - Principal Register

2010-08-31 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-08-30 - Law Office Registration Review Completed

2010-08-30 - Assigned To LIE

2010-08-16 - Allowed for Registration - Principal Register (SOU accepted)

2010-07-19 - Statement Of Use Processing Complete

2010-06-22 - Use Amendment Filed

2010-07-19 - Case Assigned To Intent To Use Paralegal

2010-06-22 - TEAS Statement of Use Received

2010-05-04 - NOA Mailed - SOU Required From Applicant

2010-02-09 - Notice Of Publication E-Mailed

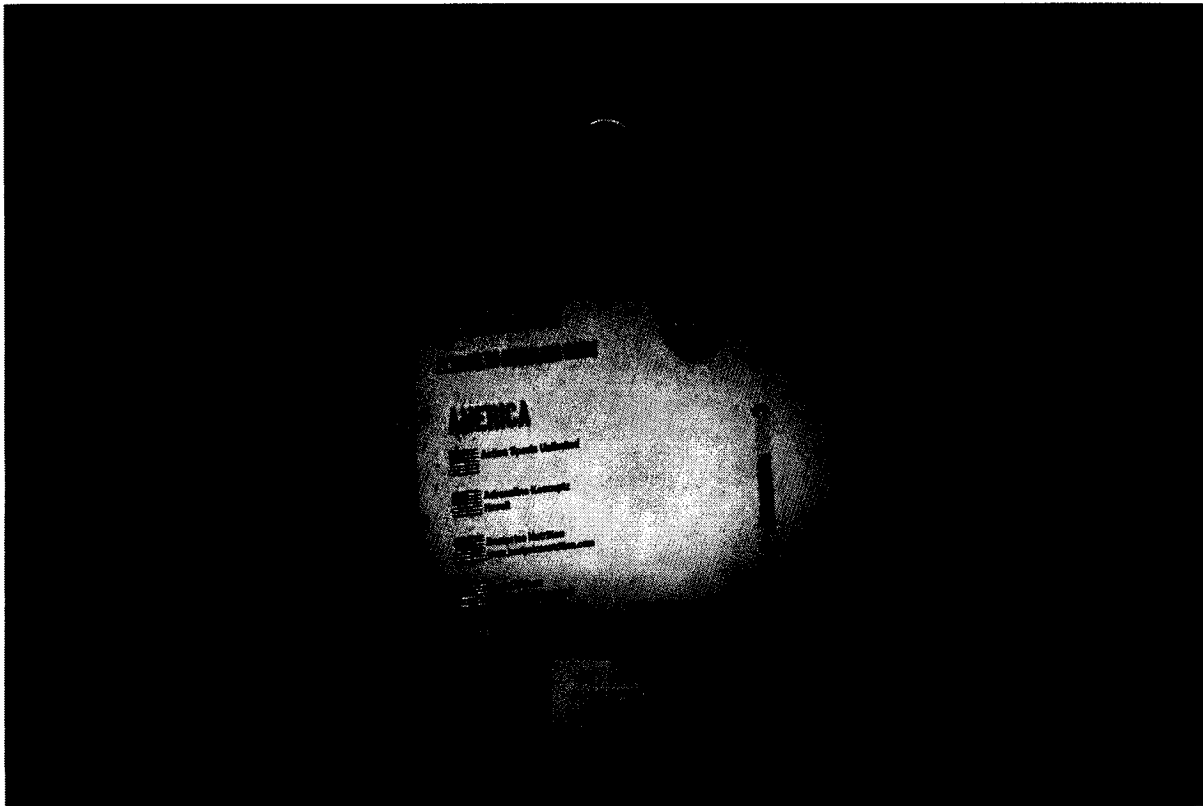
2010-02-09 - Published for opposition
2010-01-07 - Law Office Publication Review Completed
2010-01-07 - Assigned To LIE
2009-12-16 - Approved For Pub - Principal Register
2009-12-16 - Assigned To Examiner
2009-10-08 - New Application Office Supplied Data Entered In Tram
2009-10-05 - New Application Entered In Tram

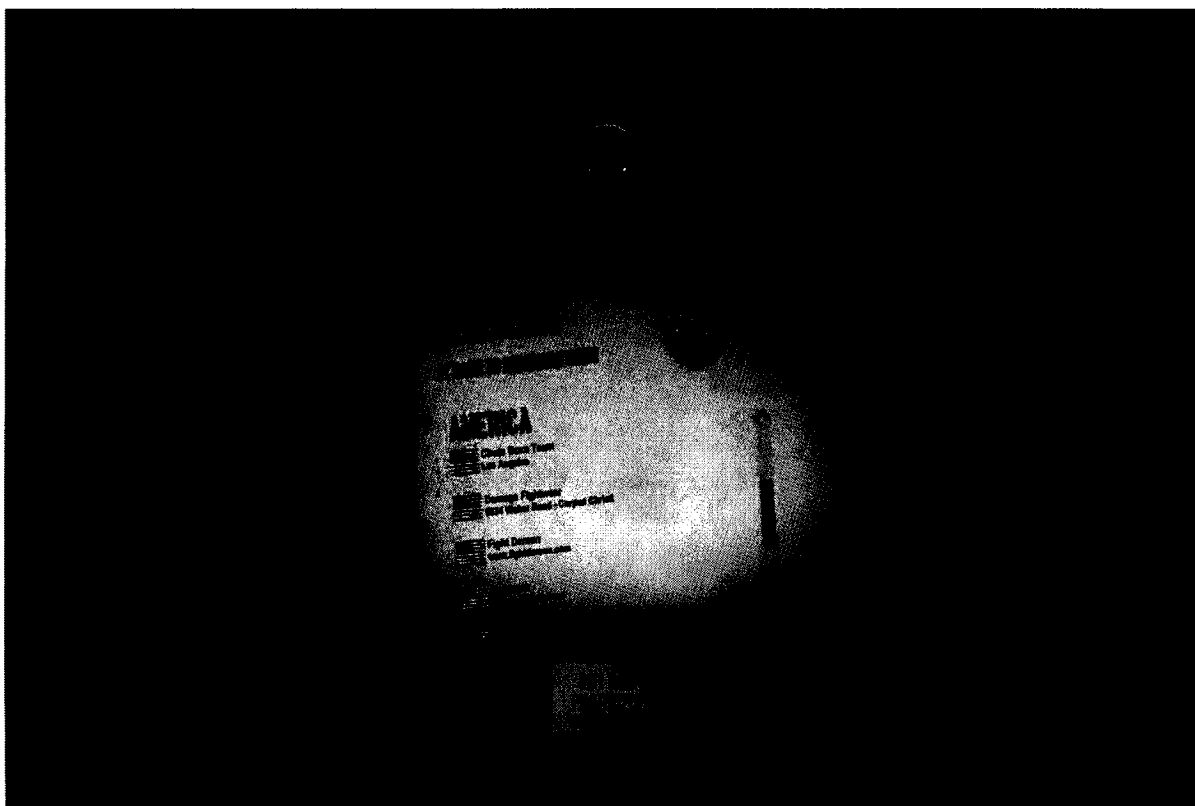
ATTORNEY/CORRESPONDENT INFORMATION

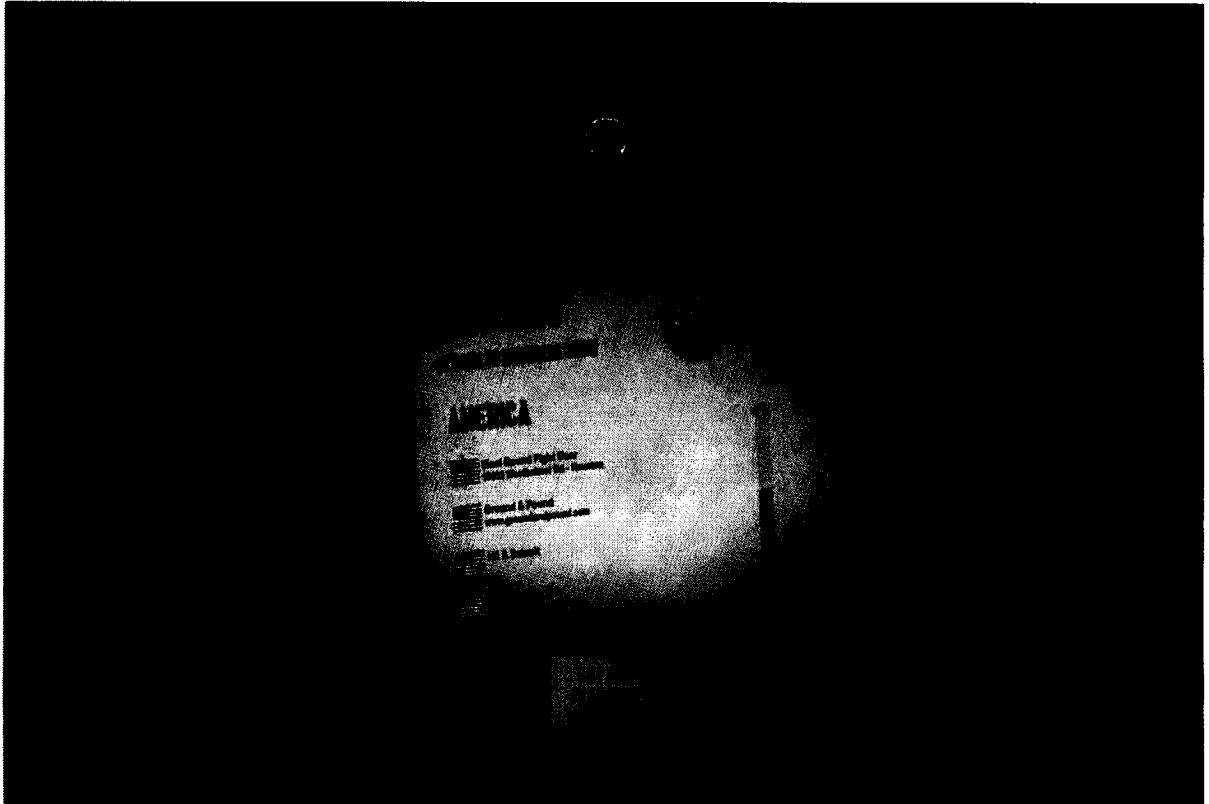
Attorney of Record
Angela V. Langlotz

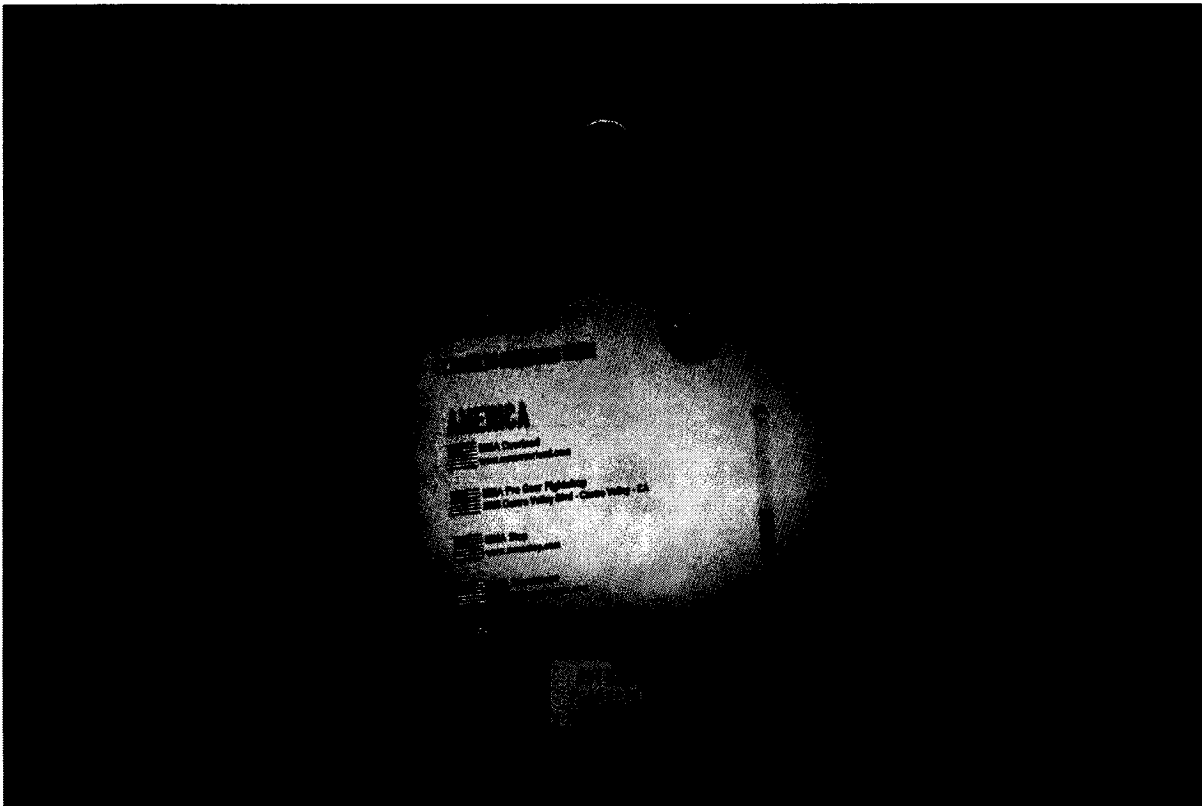
Correspondent
ANGELA V. LANGLOTZ
LANGLOTZ PATENT & TRADEMARK WORKS, INC.
PO BOX 96503#37585
WASHINGTON, DC 20090
Phone Number: 866-280-5242
Fax Number: 866-280-5242

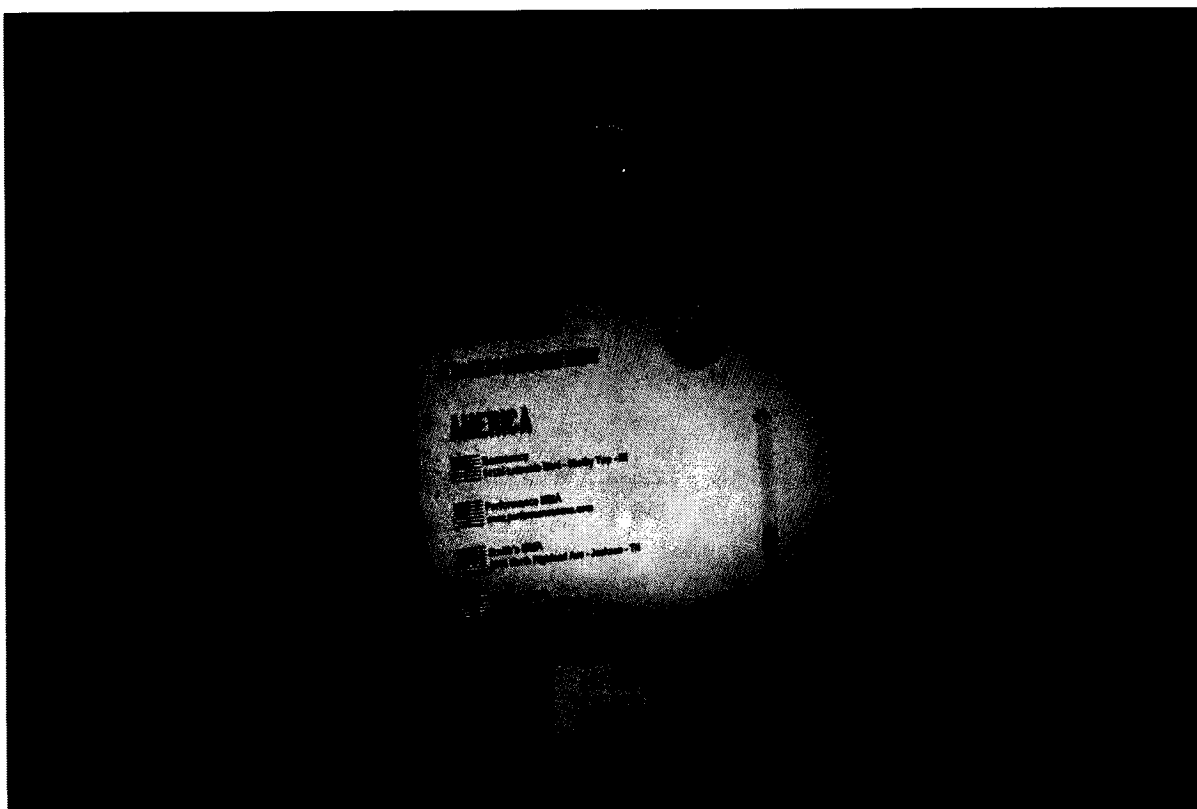
EXHIBIT B











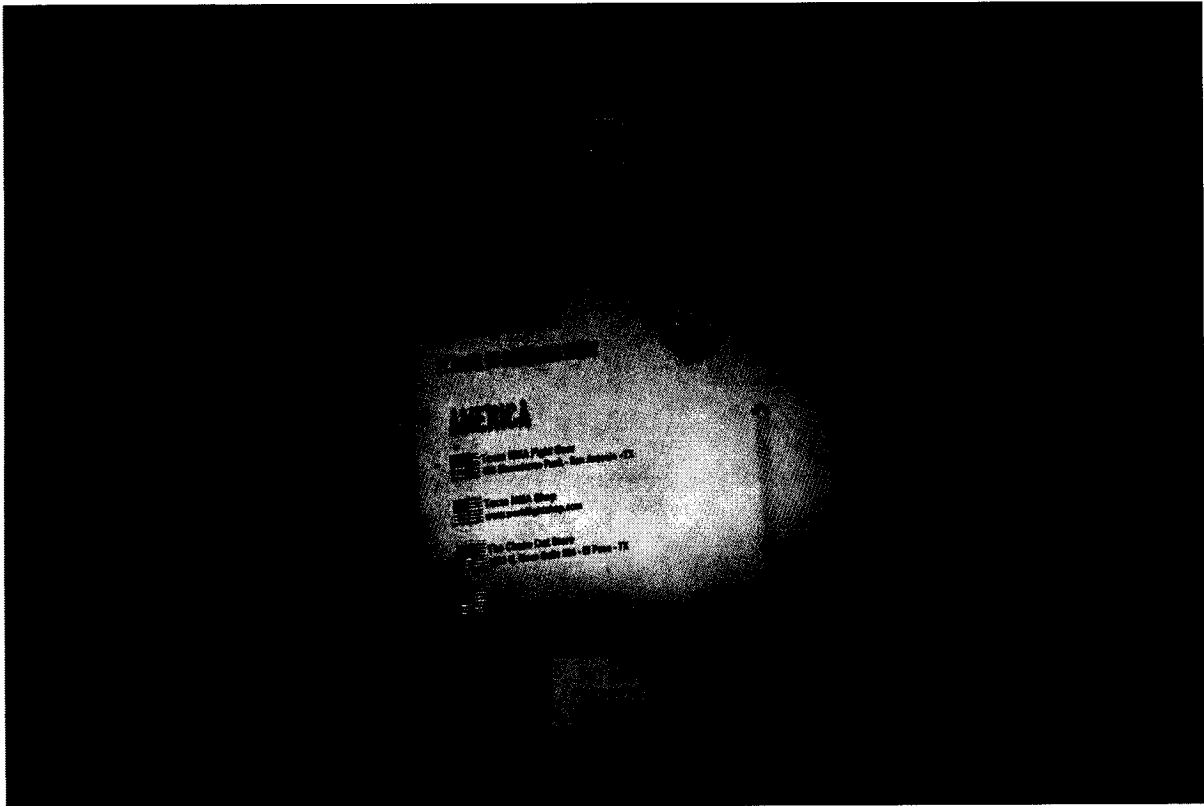


EXHIBIT C





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CROCOP

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KING OF THE CAGE

OUANO

PUNISHMENT ATHLETICS

SPRAWL

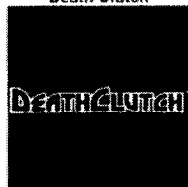
TAPOUT

TEAM QUEST

UFC



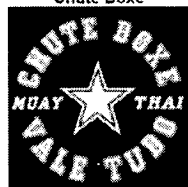
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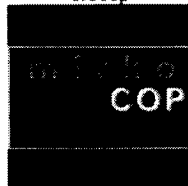
Team Quest



Chute Boxe



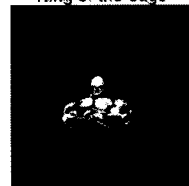
CroCop



Ouano



King of the Cage

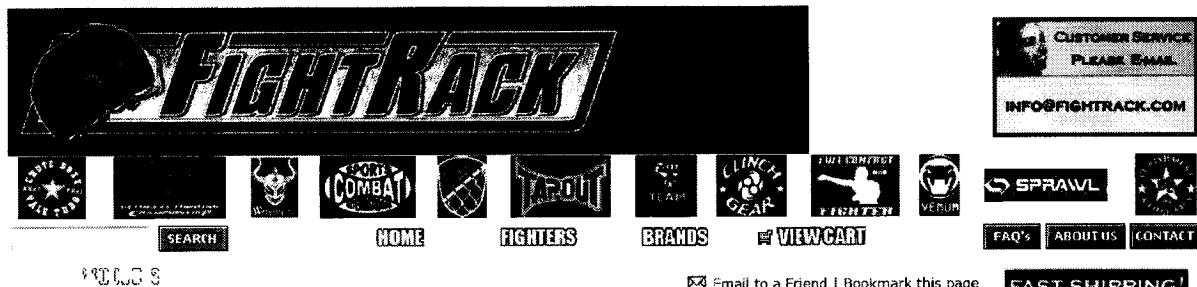


VENUM

WARRIOR INTL.

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Proceeding Number 91212231

Dragon Bleu (SARL)

v

VENM, LLC

Offered by VENM, LLC



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Current Search: (live)[LD] AND (venom)[COMB] docs: 88 occ: 279

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	86056047		BLACK VENOM	TSDR	LIVE
2	86050687		VENOM OUTDOOR.COM	TSDR	LIVE
3	86011630		VENOM	TSDR	LIVE
4	86010666		VENOM	TSDR	LIVE
5	86008738		VENOM LIFT	TSDR	LIVE
6	85742835		MUSCLE VENOM	TSDR	LIVE
7	85952690		VENOM	TSDR	LIVE
8	85809997		VENOM	TSDR	LIVE
9	85897638		VENOM	TSDR	LIVE
10	85931715		VENOM	TSDR	LIVE
11	85902917	4392397	VENOM	TSDR	LIVE
12	85902609	4392396	VENOM STEEL	TSDR	LIVE
13	85527287		VENOM	TSDR	LIVE
14	85906550		BLACKVENOM PRODUCTS	TSDR	LIVE
15	85714670	4371133	RODIAL BEE VENOM	TSDR	LIVE
16	85789658	4368241	VENOM TACTICAL	TSDR	LIVE
17	85696163		MERCHANT OF VENOM	TSDR	LIVE
18	85489798	4354817	VIPER VENOM	TSDR	LIVE
19	85329461	4356154	VENOM 1000 TWIN TURBO	TSDR	LIVE
20	85849126		LEMON VENOM	TSDR	LIVE
21	85904927		HYPERVENOM	TSDR	LIVE
22	85535608	4314403	VENUM	TSDR	LIVE

23	85581072		SUPER VENOM	TSDR	LIVE
24	85362406	4121033	VENOM DATA	TSDR	LIVE
25	85620443		VENOM CHOPPERS	TSDR	LIVE
26	85493611	4183313	VINNY VENOM	TSDR	LIVE
27	85450835	4160703	VENOM	TSDR	LIVE
28	85636028		VENOM	TSDR	LIVE
29	85264233	4134124	VENOM INDUSTRIES, LLC WWW.VENOMINDUSTRIES.US	TSDR	LIVE
30	85281475	4045206	VENOM	TSDR	LIVE
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33	79975084	3896673	VENUM	TSDR	LIVE
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35	78934934	3233490	SPYDER VENOM	TSDR	LIVE
36	78934908	3676523	VENOM	TSDR	LIVE
37	78693005	3295058	VENOM SST	TSDR	LIVE
38	78948240	3272350	S VENOM	TSDR	LIVE
39	78952660	3905822	VENOM	TSDR	LIVE
40	78865173	3227470	VENOM LIVE	TSDR	LIVE
41	78595625	3066058	VENOM POWER	TSDR	LIVE
42	78963426	3405576	VENOM-X	TSDR	LIVE
43	78743891	3299491	VENOM	TSDR	LIVE
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45	78241340	2969824	VENOM	TSDR	LIVE
46	78185027	2978387	VENOM	TSDR	LIVE
47	78346022	2917378	VENOM FLASH	TSDR	LIVE
48	78346021	2917377	VENOM GLOSS	TSDR	LIVE
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50	78301080	2950242	VENOM	TSDR	LIVE

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51	78223174	2887768	VENOM	TSDR	LIVE
52	77506119	3620754	VENOM	TSDR	LIVE
53	77886107	3868624	VENOM	TSDR	LIVE
54	77786207	3742477	VENOM BITE	TSDR	LIVE
55	77630369	3998588	VENOM GT	TSDR	LIVE
56	77630364	3998587	VENOM GT	TSDR	LIVE
57	77630353	3998585	VENOM GT	TSDR	LIVE
58	77752168	4045855	VENOM	TSDR	LIVE
59	77956478	3949046	VENOM VIXEN V V	TSDR	LIVE
60	77938691	3856223	VIPER VENOM FUELS	TSDR	LIVE
61	77839565	3858110	VENOM	TSDR	LIVE
62	77696434	3797145	INVICTA VENOM	TSDR	LIVE
63	77690159	3762404	VENOM LACROSSE	TSDR	LIVE
64	77509696	3786627	VENOM VODKA	TSDR	LIVE
65	77290965	3562141	INNOVENOM	TSDR	LIVE
66	77340803	3795390	VENOM	TSDR	LIVE
67	77480461	3951214	VENOM	TSDR	LIVE
68	77472329	3553718	VENOM	TSDR	LIVE
69	77424960	3608291	VENENO MUSICAL	TSDR	LIVE
70	77316517	3475399	VENOMGIRLS	TSDR	LIVE
71	77313774	3453287	VENOMGIRLS.COM	TSDR	LIVE
72	77289738	3577338	VENOM	TSDR	LIVE
73	77274013	3613212	VINUM	TSDR	LIVE

74	76408050	3298425	VELENO	TSDR	LIVE
75	76714859		SIMPLY VENOM	TSDR	LIVE
76	76403294	2894158	VELENO	TSDR	LIVE
77	76557789	3248777	VENOM RACING	TSDR	LIVE
78	76314961	2829005	VENOM PALE ALE	TSDR	LIVE
79	76206615	2592852	VENOM	TSDR	LIVE
80	76497440	2949108	VENOM FIREWORKS VENOMFIREWORKS.COM	TSDR	LIVE
81	76672389	3543977	VENOM	TSDR	LIVE
82	75923302	2528428	LIP VENOM	TSDR	LIVE
83	75763623	2404885	VENOM	TSDR	LIVE
84	75511132	2414998	VENOM	TSDR	LIVE
85	75123093	2117538	VENOM	TSDR	LIVE
86	74315335	1846272	VENOM	TSDR	LIVE
87	74268250	1844354	VENOM	TSDR	LIVE
88	73655980	1466301	SUPER VENOM	TSDR	LIVE

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VENUM ENTERTAINMENT

Word Mark	VENUM ENTERTAINMENT
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment in the nature of dance performances. FIRST USE: 20060720. FIRST USE IN COMMERCE: 20060720
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78927571
Filing Date	July 12, 2006
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	February 27, 2007
Registration Number	3295728
Registration Date	September 18, 2007
Owner	(REGISTRANT) Burgos, Jaime III INDIVIDUAL UNITED STATES Apt. 9 14322 Valerio Street Van Nuys CALIFORNIA 91405
Attorney of Record	Mark G Falkin

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Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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VENUM

Word Mark	VENUM
Goods and Services	IC 010. US 026 039 044. G & S: spinal braces for medical use. FIRST USE: 20121008. FIRST USE IN COMMERCE: 20121008
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85535608
Filing Date	February 7, 2012
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	July 17, 2012
Registration Number	4314403
Registration Date	April 2, 2013
Owner	(REGISTRANT) OPTEC USA, INC. CORPORATION GEORGIA 975 Progress Circle Lawrenceville GEORGIA 30043
Attorney of Record	Arthur A. Gardner
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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HYPERVENOM

Word Mark HYPERVENOM

Goods and Services IC 018. US 001 002 003 022 041. G & S: Bags, namely, all purpose sports bags, tote bags, duffle bags, messenger bags, backpacks, purses, umbrellas, luggage, wallets, key fobs, portfolios, cosmetic and toiletry cases

IC 025. US 022 039. G & S: Clothing, footwear and headwear

IC 028. US 022 023 038 050. G & S: Sports equipment, namely soccer balls, shin guards, protective padding for playing soccer; bags specially adapted for carrying sports equipment and sports balls

Mark

Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85904927

Filing Date April 15, 2013

Current Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Nike, Inc. CORPORATION OREGON One Bowerman Drive DF-4 Beaverton OREGON 97005

Attorney of

Record Jaime M. Lemons

Description of Mark Color is not claimed as a feature of the mark. The mark consists of HYPERVENOM in a stylized format.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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MUSCLE VENOM

Word Mark	MUSCLE VENOM
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Dietary supplements IC 025. US 022 039. G & S: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85742835
Filing Date	October 1, 2012
Current Basis	1B
Original Filing Basis	1A;1B
Owner	(APPLICANT) Promera Health, LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 61 Accord Park Drive Norwell MASSACHUSETTS 02061
Attorney of Record	Scott D. Woldow
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MUSCLE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL

Live/Dead Indicator LIVE

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SPYDER VENOM

Word Mark SPYDER VENOM**Goods and Services** IC 025. US 022 039. G & S: Ski and snowboard wear, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants. FIRST USE: 20060500. FIRST USE IN COMMERCE: 20060701**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 78934934**Filing Date** July 21, 2006**Current Basis** 1A**Original Filing Basis** 1A**Published for** February 6, 2007**Opposition****Registration**

Number 3233490**Registration Date** April 24, 2007**Owner** (REGISTRANT) Spyder Active Sports, Inc. CORPORATION COLORADO 4725 Walnut Street Boulder COLORADO 80301**Attorney of Record** Terri DiPaolo**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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SUPER VENOM

Word Mark	SUPER VENOM
Goods and Services	IC 025. US 022 039. G & S: Clothing, namely, caps; Dress shirts; Golf shirts; Jackets; Long-sleeved shirts; Polo shirts; Shirts; Sweat shirts, T-shirts, Tops
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85581072
Filing Date	March 27, 2012
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	March 26, 2013
Owner	(APPLICANT) HPE Design, LLC LIMITED LIABILITY COMPANY TEXAS 9281 SW I10 Frontage Rd Sealy TEXAS 77474
Attorney of Record	Benjamin Ashurov
Prior Registrations	3998585;3998587;3998588
Type of Mark	TRADEMARK

Register PRINCIPAL
Live/Dead
Indicator LIVE

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List At: OR to record: **Record 36 out of 88**

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VENOM

Word Mark VENOM

Goods and Services IC 025. US 022 039. G & S: Ski and snowboard wear, namely, jackets, pants, insulated jackets, insulated pants, one piece insulated suits, fleece tops, fleece jackets, sweaters, fleece pants, shirts, t-shirts, gloves, hats, caps, hoods, mittens, sweatshirts, waterproof and water repellent jackets and pants. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990800

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78934908

Filing Date July 21, 2006

Current Basis 1A

Original Filing Basis 1A

Published for June 16, 2009

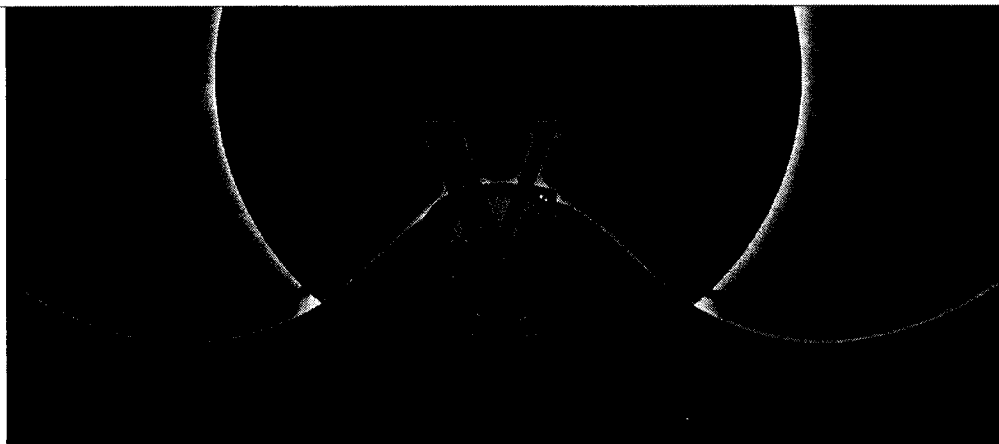
Opposition

Registration

Number 3676523**Registration Date** September 1, 2009**Owner** (REGISTRANT) Spyder Active Sports, Inc. CORPORATION COLORADO 4725 Walnut Street Boulder COLORADO 80301**Attorney of Record** Terri DiPaolo**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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Venom is located in Memphis TN Venom 4465 Poplar Avenue Suite 106 (Oak Court Mall) Memphis TN 38117 Venom is a streetwear shop that carries 10 Deep, A1ife, The Hundreds, Crooks & Castles, Supra, Clae, Gourmet, Mishka, Undeafated, Rocksmith Tokyo, Kid Robot, Akomplice, LRG, Blac Labe, Creative Recreation, Puma, etc.

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About Us



Venom

Memphis, TN, United States

Venom is a 2 store operation strategically placed in Memphis to make sure that you are within 15 minutes of us no matter where you may be in the city. Venom spawned in November of 2007 in Memphis, TN where a "True" streetwear shop was nonexistent. Venom made and continues to make a huge impact by being the first to carry the more "underground" brands with strong roots and influences from all aspects of hip hop, skate, and street culture. Not only can you expect the more exclusive brands that will set you apart from the

Saturday, June 19, 2010

Huge Sale going on at Venom

Take advantage of the sales going on at Venom this weekend.

The Hundreds Snapbacks starting at \$10

Any New Era you want is 30% OFF

Vael Project Shoes on SALE for \$49

C1RCA Shoes \$49

All of The Hundreds is 30% OFF

ALL 10 Deep is 30% OFF

ALL Obey is 25% OFF

ALL Supras are 30% OFF

All Stussy is 30% OFF

All DC shoes are on SALE!!!

Odal

Posted by Venom at 1:29 PM 0 comments

Labels: [Sales](#), [Venom](#), [Venom Clothing Store](#), [Venom-Memphis](#)

Friday, June 18, 2010

Diamond Supply Co. and Deadline collaboration available at Venom

Labels

[10 Deep](#)

[Android Homme](#)

[Benny Gold](#)

[BIKE](#)

[Bio](#)

[Black Scale](#)

[BRANDS](#)

[C1RCA](#)

[Coming Soon](#)

[Crooks and Castles](#)

[Crooks and castles bike](#)

[DC](#)

[DC LIFE](#)

[Diamond Supply](#)

[Dissizit](#)

[Funny Videos](#)

[G-Shock](#)

[Holiday 2009](#)

[HUF](#)

[Hundreds Clothes](#)

[Hundreds Clothing](#)

[Kidrobot](#)

[King Stampede](#)

[Lil Wayne](#)

[LRG](#)

cookie cutter dressing crowd that infiltrates the streets, but also that we will never settle as we are always doing our homework on the different trends and scouring high and low for the up and coming brands. Being innovative and always listening to our customers is what we abide by and what keeps our customers coming back.

[View my complete profile](#)

Hours & Locations

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Memphis, TN 38117
901-818-3883
Mon-Sat 10-9
Sunday 12-6
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www.twitter.com/venommemphis
www.myspace.com/dressvenom

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Memphis, TN 38116
901-396-9226
Mon-Sat 10-9
Sunday 12-6

Twitter

Brands

10 Deep

Acapulco Gold

Akomplice

Alife

Android Homme

Artful Dodger

Benny Gold

Black Scale

C1RCA

Capital

Chubby Boob

Circle of Success

Clae

Creative Recreation

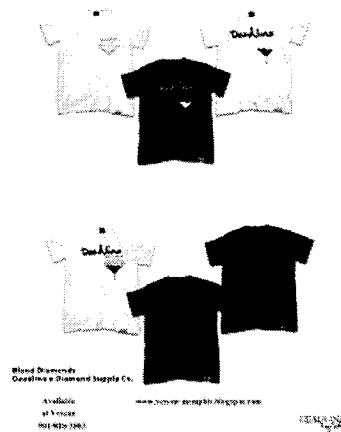
Crooks & Castles

DC

DC Life

Diamond Supply Co.

Venom-Memphis



The highly sought after Diamond Supply Co. and Deadline collaboration tees are now available at Venom They are very limited and they will go fast. It is a reminder of the corruption, violence, and deceit that diamonds, rightlully nicknamed blood diamonds, bring to this world.

Pat
901-818-3883

Posted by Venom at 2:39 PM 0 comments

Labels: Deadline, Diamond Supply, Venom, Venom Clothing Store, Venom-Memphis

Wednesday, June 16, 2010

Chubby Boob now available at Venom



Magazine

Memphis

Mishka

Oak Court Mall

OBEY

Play Cloths

Puff Daddy

Puma

Rampage

Rocksmith
Tokyo

Rudolf Dassler

Sales

SE RACING

Sneaker
Freaker
Magazine

Southland Mall

stussy

Supra

Supra NS

Terry Kennedy

The Daily
Helsman

The Hundreds

The Hundreds
bike

TK Society

twitter

UFC

Undefeated

University of
Memphis

Venom

Venom Clothing
Store

Venom-Memphis

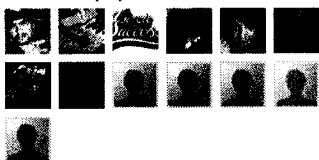
Watches

Dissizit
G Shock
Gourmet
Gravis
HUF
Kid Robot
King Stampede
Krew
Levis Footwear
Lira
LRG
Mishka
Obey
Play Cloths
Puma (Alexander McQueen)
Puma (Rudolf Dassler)
REBEL 8
Rocksmith Tokyo
Rogue Status
Sneaker Freaker
Stussy
Supra
The Hundreds
Undefeated
Us Vs Them
Vael Project

Venom Advocates

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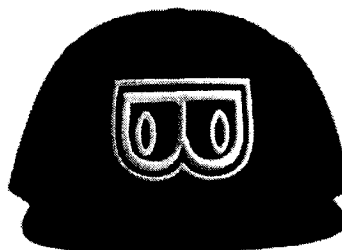
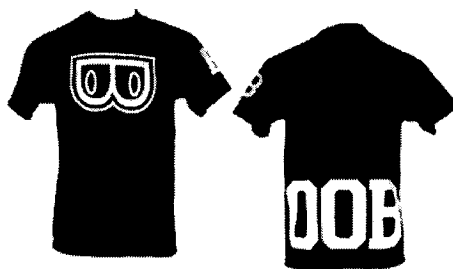
June (7)

May (8)

April (9)

March (17)

Venom-Memphis



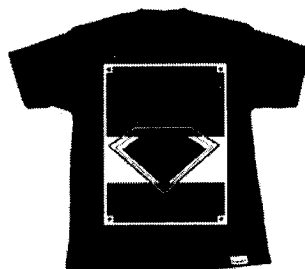
Making a fast name for itself, Chubby Boob has come to be known as exclusively a clothing brand. However, clothing is merely only one of their creative outlets. Chubby Boob actually first started out as an art entity, as are all artists first and foremost. They have firm roots grounded in not only street art but the fine arts as well. Chubby Boob intends to grow and expand both as an art based lifestyle brand as well as an art entity. Come check it out at [Venom](#).

Posted by [Venom](#) at 5:08 PM 0 comments

Labels: [Chubby Boob](#), [Venom](#), [Venom Clothing Store](#), [Venom-Memphis](#)

New Collection of Diamond Supply now available at [Venom](#)

DIAMOND SUPPLY CO. SPRING 2010
STYLE: STANDARD TEE SHIRT



Available at
[Venom](#)
901-818-3883



10/6/13

February (8)
January (9)
December (20)
November (18)
October (9)
September (9)
August (9)
June (1)
May (6)
April (3)
March (2)

Venom-Memphis

DIAMOND SUPPLY CO. SPRING 2010
STYLE: DIAMOND SHOP TEE SHIRT



Available at

Venom

901-818-3883



Available at Venom

901-818-3883

DIAMOND SUPPLY CO. SPRING 2010
STYLE: CHAMPS TEE SHIRT



Available at

Venom

901-818-3883



Hands down, the Best selling brand Venom carries, Diamond Supply, is at Venom. The Spring Delivery 2 collection is now available at Venom

Posted by Venom at 2:31 PM 0 comments


Labels: Diamond Supply, Venom, Venom Clothing Store, Venom-Memphis

Monday, June 7, 2010

Sales going on at Venom

Take advantage of the sales going on at Venom. All Rogue Status Half Off, The Hundreds, 30% Off All Mishka Half Off, C1RCA Shoes starting at \$39, A1ife shoes starting at \$49 and many others. Stop by Venom in Oak Court.

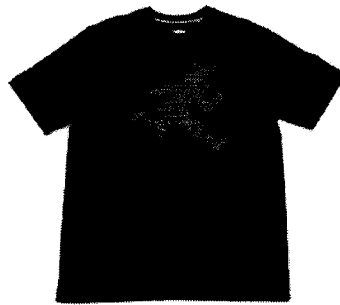
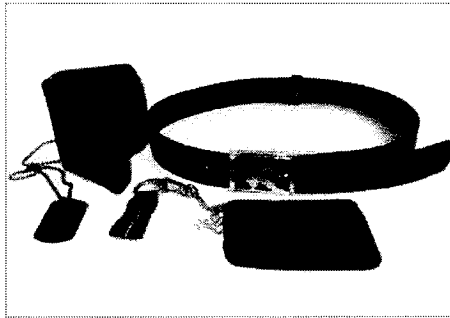
PaT

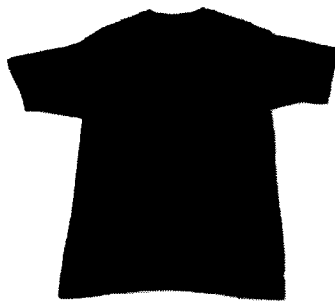
Posted by Venom at 12:10 PM 0 comments 

Labels: [Alife](#), [C1RCA](#), [Mishka](#), [Rogue Status](#), [Sales](#), [The Hundreds](#)

Friday, June 4, 2010


Play Cloths Summer 2010 shipment has arrived





Play Cloths Summer 2010 Collection now available at Venom .

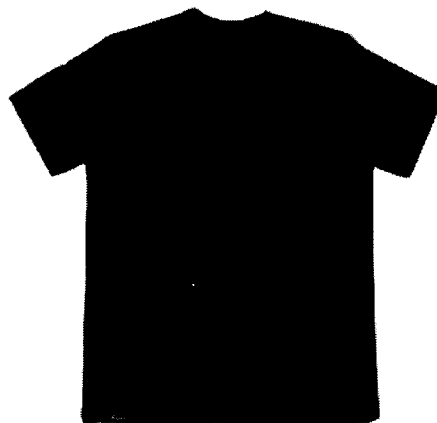
Pat

Posted by Venom at 10:51 AM 0 comments 

Labels: Play Cloths Venom Clothing Store Venom-Memphis


Wednesday, June 2, 2010

Akomplice Summer 2010 Collection now
available at Venom



Akomplce Summer 2010 Collection now available at Venom. Limited quantities so come before they go.

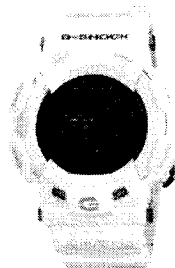
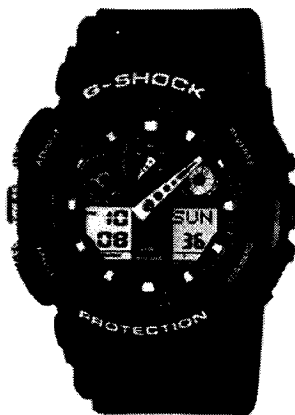
PaT

Posted by Venom at 1:09 PM 0 comments 

Labels: Akomplce Akomplce Summer 2010, Venom Clothing Store, Venom-Memphis

Friday, May 28, 2010


New Delivery of G-Shocks available at
Venom





A nice assortment of G-Shocks came into Venom today. Included is the much sought after Black and Gold DW-6900, the new G100 G-Shock, and an array of colors in the 5600's, 6900's, 7900's.

Odei

Posted by Venom at 8:10 PM 0 comments 

Labels: G-Shock


Thursday, May 20, 2010

ALIFE Summer 2010 now available at Venom



New to arrive at Venom is the Summer Collection of Alife. A couple of different low top canvas kicks as well as a fresh ass shelltoe mid. We have so many different tops from Stussy, The Hundreds and others that will compliment the shoes. Come check it out.

PaT


Posted by Venom at 1:42 PM 0 comments 

Wednesday, May 12, 2010

Venom Goody Bag

There comes a time that doesn't come often where we offer a crazy ass deal that shouldn't be passed up. This is one of those times. I present to you the Venom x The Hundreds Goody Bag. In this goody bag and for a price of \$190, you will get the following: A Hundreds T-Shirt, Hundreds Shoes, Hundreds Jeans, and a Hundreds Snapback as well as some stickers. Crazy right? We know! All you have to do is tell us your size and WE will put it together. Give us a call if you have any questions. 901-818-3823

Odei

Posted by Venom at 5:07 PM 0 comments 


Labels: Sales, The Hundreds, Venom-Memphis

Monday, May 10, 2010

Huge Sale at Venom in Southland Mall

I'm gonna keep it short but sweet. EVERYTHING in Venom in Southland Mall is HALF OFF!!!! Our Southland Mall location will be relocating in 1 month and the last day is this Friday. So from now until then, HALF OFF on anything, things are going fast and sizes are going to be tough to find if you wait till last minute.

Odei

Posted by Venom at 1:18 PM 0 comments 


Labels: Sales, Venom Clothing Store, Venom-Memphis

Friday, May 7, 2010

Diamond Supply available at Venom

It took quite a while to finally get some goods in, but nonetheless, Venom is OFFICIALLY your go to spot in Memphis TN for Diamond Supply Co goods. Tees, hats and belts in so many styles it'll give you anxiety because you won't know which one to go with (so basically buy as many as you can). That's all folks.

Mo

Posted by Venom at 4:57 PM 0 comments 


Labels: Diamond Supply, Venom Clothing Store, Venom-Memphis

Wednesday, May 5, 2010

Stussy Summer 2010 Collection available at Venom

Stop by Venom in Oak Court Mall to check out the Stussy Summer 2010 Collection. Extremely dope sht in all seriousness, the hats which include Snapback New Eras and six panel hats are the best I've seen yet. And to make it all the more sweeter and monster selection of Stussy tees in ALL sizes. Stussy is one of those brands that goes pretty quick and most people get frustrated when they show up a week after I post on our blog that it came in. So for you people, get in before they go.

PaT

Posted by Venom at 4:32 PM 0 comments 

Labels: stussy, Venom Clothing Store, Venom-Memphis

Tuesday, May 4, 2010

Acapulco Gold available at Venom



Nothing more fitting than Acapulco Gold's Venom tees and snap backs for the undisputed streetwear shop in Tennessee, Venom. Come check out the collection at Venom.

PaT

Posted by Venom at 5:11 PM 0 comments

Labels: Acapulco Gold, Venom, Venom-Memphis

Venom x The Hundreds Snap back Sale

HUGE SALE ON The Hundreds Snap backs. Now is the time to get as many as you can from Venom. Over 100 Snapbacks from The Hundreds and a big SALE price. They range from \$15-\$23. No excuses, first come first serve.

PaT

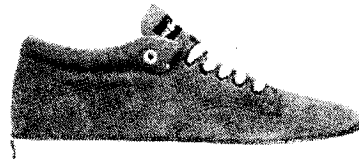
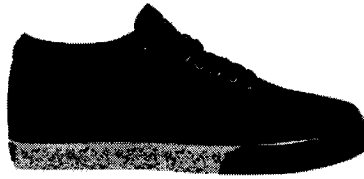
Posted by Venom at 4:46 PM 0 comments

Labels: Sales, The Hundreds, Venom Clothing Store, Venom-Memphis

Monday, April 26, 2010


The Hundreds Summer 2010 Footwear available at Venom





Always one to bring fire with every collection they put out, The Hundreds does it again with their Summer 2010 shoes that are available at Venom. I'm impressed with what they have been pulling out with their still relatively new footwear program. Come check them out at Venom.

PaT
901-818-3863

Posted by Venom at 1:10 PM 0 comments 

Labels: Hundreds Summer 2010, Shoes, The Hundreds, Venom Clothing Store, Venom-Memphis

10/6/13

Venom-Memphis

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Venom Clothing

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3,865

1

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Venom Clothing shared a link.
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<http://minecraftaccount4sale.bigcartel.com/>**Minecraft Account Sale — Home**
minecraftaccount4sale.bigcartel.com

We are selling Cheap Minecraft account for sale. Save Over 90% of your money investing in a secondhand account. Payment via paypal 100% SAFE

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Venom Clothing changed their cover photo.
April 8

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Chat (6)

by Others on Venom Clothing



Wauwaw Execution

Maff ganggu :) Mau bikin beanies(kupluk) 20
July 3 at 12:44am

Declan Molloy

Do you have an E-Mail address?
April 8 at 5:01pm

Rojen Rai

Holy shit! Venom clothing! :O
3 · January 24 at 11:34am

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Venom Clothing
April 8

Snapback Restock 2013 April (10 photos)

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Venom Clothing
April 8

Snapback and beanie restock: Venom Clothing

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Venom Clothing shared a link.
March 17

<http://www.venomwear.co.uk/product/obey-propaganda-snapback>

Venom — Obey Propaganda Snapback
www.venomwear.co.uk

Obey Propaganda Snapback One size 20% wool and 80 Acrylic OSFA
OBEY

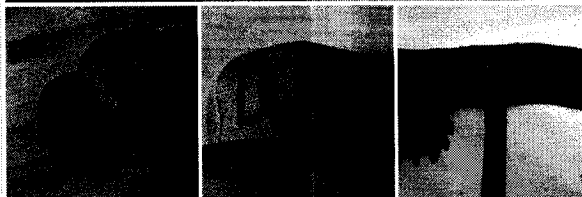
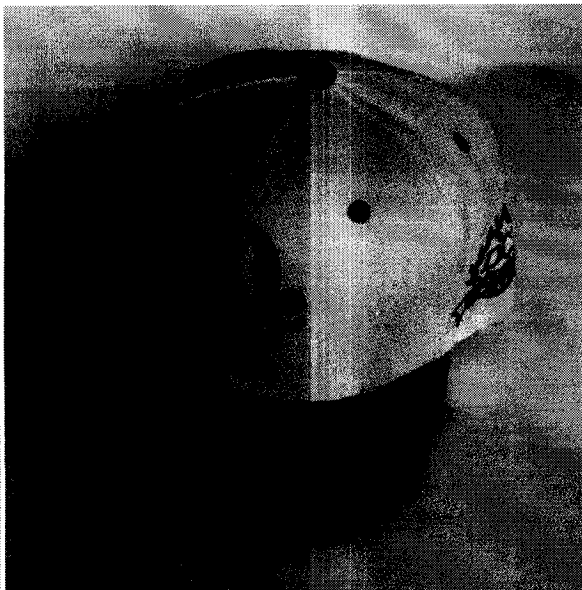
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1



Venom Clothing
March 15

Dope Snapbacks (5 photos)



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2



Venom Clothing
March 12

Obey Leopard design £9.99

<https://www.facebook.com/Venomwear>

Venom Clothing



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4 2



Venom Clothing shared a link.
March 12

Leopard YMCMB SnapBack Black £9.99 Buy Now
<http://venomwear.bigcartel.com/product/leopard-ymcmb-snapback-black>

Venom — Leopard YMCMB SnapBack Black
venomwear.bigcartel.com

Leopard YMCMB SnapBack Black Brand New without tag

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Venom Clothing shared a link.
March 12

Heather Grey T-Shirt £6.99 Sale
<http://venomwear.bigcartel.com/product/heather-grey-t-shirt>

Venom — Heather Grey T-Shirt
venomwear.bigcartel.com

A uni-sex, Heather Grey T-Shirt, with the Venom logo professionally printed on the chest. Size Small | Medium | Large

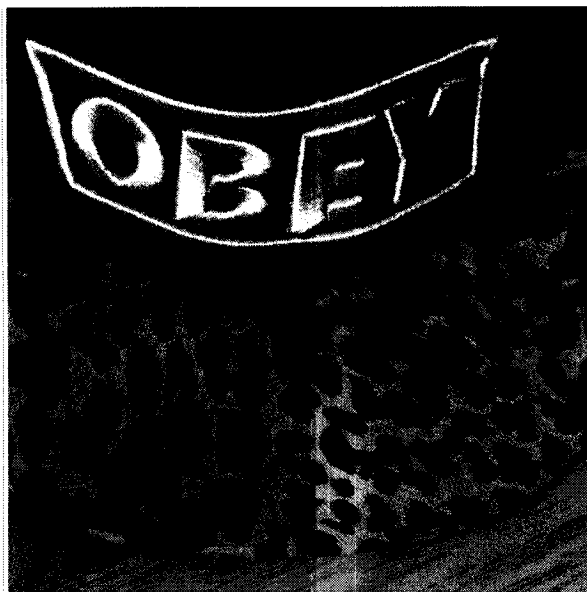
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Venom Clothing
March 11

10/6/13



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4



Venom Clothing
March 11



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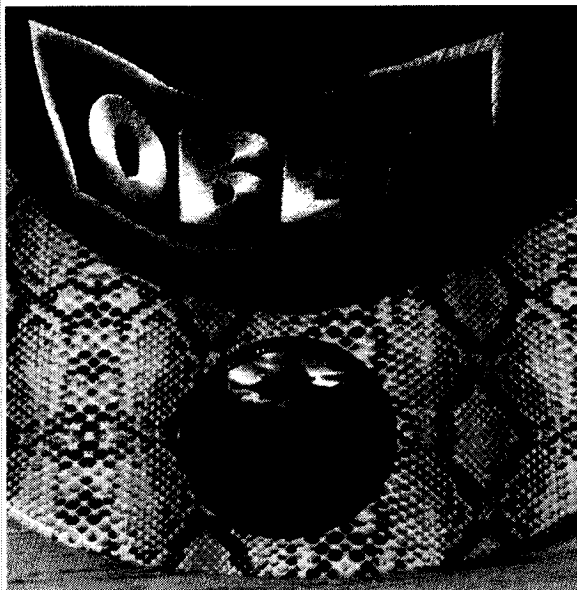
7 2 2



Venom Clothing
March 11

Venom Clothing

Obey Snakeskin texture design £9.99



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5



Venom Clothing
March 11



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3



Venom Clothing changed their cover photo.
March 11



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3 1 1

10/6/13



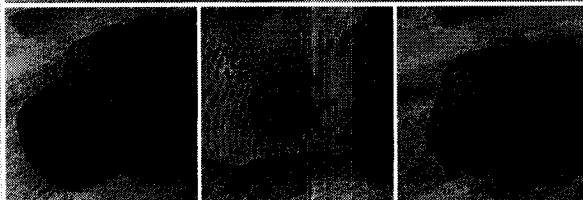
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Venom Clothing
March 11

Snapbacks (16 photos)
Obey - Dope - Supreme - YMCMB



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2 2



Venom Clothing shared a link.
February 13

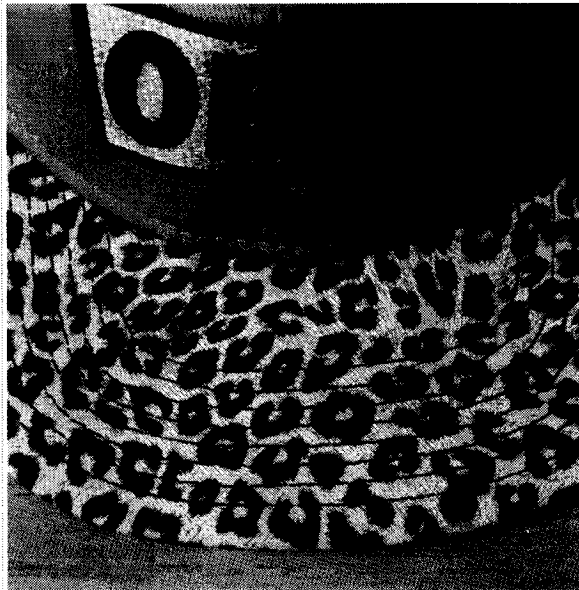
<http://venomwear.bigcartel.com/product/burgundy-hoodie>

Venom Clothing



Venom Clothing
March 11

Snow Leopard Snapback only £9.99



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Venom Clothing shared a link.
March 11

UP TO

50% off all our clothes check them out: www.venomwear.co.uk

Hoodies for £9.99

Sweater £9.89

Tees £6.99

Venom — Home
www.venomwear.co.uk

UK Clothing brand supplying Urban Street wear at affordable price. We sell high quality hoodies, sweaters and t shirt

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Venom Clothing shared a link.
March 11

<http://venomwear.bigcartel.com/product/charcoal-hoodie>

Venom — Charcoal Hoodie
venomwear.bigcartel.com

A uni-sex, Charcoal Grey Hoodie, with the white Venom logo professionally printed on the chest. Size (Inches) Small 38

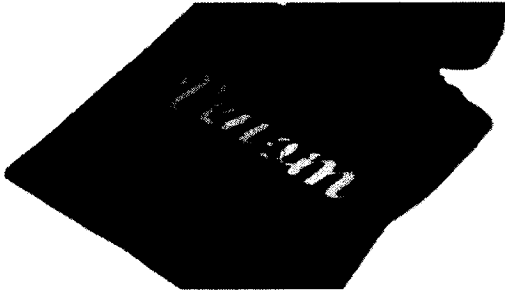
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2

10/6/13

Venom Clothing

Check out our burgundy hoodie



Venom — Burgundy Hoodie
venomwear.bigcartel.com

A uni-sex, Burgundy Hoodie, with the white Venom logo professionally printed on the chest. Size (Inches) Small 38

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MEN'S UA VALSETZ VENOM LOW TACTICAL BOOTS

(1) Q&A (7) STYLE # 1236890

\$109.99

BLACK (001)



8	8.5	9	9.5	10	10.5
11	11.5	12	13	14	

SIZE CHART



ADD TO CART

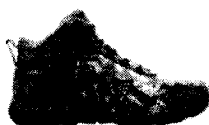
CLICK IMAGE TO ZOOM

Like 7

CUSTOMERS ALSO BOUGHT:



Men's UA TAC Mid GTX
Boots
\$169.99



Men's UA Valsetz Venom
Mid Tactical Boots
\$119.99



Men's UA Valsetz 7" Tactical
Boots
\$109.99



Men's UA OPS Tactical



Men's Chetco II Trail



Men's WWP UA Charge RC 2

WHAT'S IT DO?

Our police and military customers had a problem. They needed a boot that was durable and rugged enough to put up with all terrains, but light enough for speed and maneuverability. UA took up the challenge, designing a running-shoe-tactical-boot hybrid. What you get is a boot we're proud to get positive feedback about...from the streets of Chicago to the hills of Afghanistan.

THE FUNDAMENTALS

- Aggressive UA Spine chassis forms a lightweight structure around the sole, delivering incredible support without sacrificing flexibility
- Water-resistant, high-abrasion ripstop nylon upper is tough, but breathable, for superior comfort
- Synthetic overlays add support, not weight, and won't absorb moisture
- Durable EVA midsole delivers cushioning and shock absorption, protecting your foot in any terrain
- Lightweight PU footbed, giving you a comfortable fit
- Push through protection plate to keep hazards at bay
- Textured, high-abrasion rubber toe rand protects your foot
- Imported

Training Shoes

\$129.99

Running Shoes

\$79.99

Running Shoes

\$119.99

PRODUCT REVIEWS (1)

AVERAGE RATING: ★★★★★ 5 of 5

RATING BREAKDOWN:

SIZE	Runs Small ★★★★★	Runs Large ★★★★★	1
WIDTH	Runs Narrow ★★★★★	Runs Wide ★★★★★	0
COMFORT	Min. ★★★★★	Max. ★★★★★	0
PERFORMANCE	Min. ★★★★★	Max. ★★★★★	0

WRITE A REVIEW

★★★★★ (5)

SIZE

Runs Small
★★★★★

Runs Large
★★★★★

WIDTH

Runs Narrow
★★★★★

Runs Wide
★★★★★

COMFORT

Min.
★★★★★

Max.
★★★★★

PERFORMANCE

Min.
★★★★★

Max.
★★★★★

Great for all day wear

August 12, 2013 Posted by [Mike Papa](#) | Gender: Man Athlete type: Avid Age: 25 to 29
Height: 5'4"-5'6" Size Purchased: 9.5

These shoes ("boots") are by far the most comfortable shoes I have had in a long time. They fit perfect. I wore these shoes from 7am till 2am the next morning. I work retail in the morning then in the afternoon I wore these shoes for a 12 Hr bike patrol duties.

3 people found this review helpful.

Was this review helpful for you? Yes 3 No 0 [Report inappropriate content](#)

Share this review: [f](#) [t](#)

BACK TO TOP

PRODUCT Q & A (7)

SUBMIT A QUESTION

Most helpful answers

I would like to know the weight?

1 answer

What makes this shoe better than the mirage tactical running shoe?

1 answer

Are these polishable

1 answer

Can you special order in a size 15?

1 answer

Do also make women's sizes?

1 answer

Is this a lace up shoe, your website doesnt let me have access to a top view?

1 answer

Are they ansi aor astm rated?

0 answers

1 of 1

BACK TO TOP

SIGN UP FOR EMAIL

YOUR EMAIL ADDRESS

SIGN UP

CUSTOMER SERVICE

- 1.888.727.6687
- Live Chat
- Returns & Exchanges
- Shipping Information
- Men's Fit Guide
- Women's Fit Guide
- Change Region 
- Track Order
- Store Locator
- Gift Cards
- Size Guide
- Help Section

UA STORY

- UAFreedom
- UA Green
- UA Innovation Challenges

BUSINESS INFO

- Careers
- Investor Relations
- UA Biz Site
- Security / Privacy
- Legal
- Recall Information
- Affiliates

GET INVOLVED

Like

Sarina Staurwahn and 2,499,373 others like this.

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Our mission is clear: MAKE ALL ATHLETES BETTER. If you're not 100% satisfied with your gear, return it for a full refund. Anytime. Any Reason. Guaranteed.



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 12



About us

The name "Cherry Venom" might bring to mind a strange mix of daring and sweetness, but that's not all it is. For starters, the ladies behind this brand, Michelle Romero, and Nicole Suarez, would gladly ask you to "pick your poison." And why should you?

Designed for the free-spirited woman, Cherry Venom's style combines the sexy and the sweet, the pretty lady and the party animal. This approach produced a signature style that's eclectic yet elegant, quirky yet classy—a Cherry Venom vixen is someone who always puts together an ensemble that packs a punch. From prints to solid colors, loose fits and tailored pieces, Cherry Venom's mix-and-match attitude brings out the fabulous and the practical with pieces that can go from day to night and from seriously stylish to simply spectacular. Check out Cherry Venom's collections to see for yourself, if you dare.

Get bold. Get bitten. Get hooked on Cherry Venom.

[top](#)



New Collection



PALTROW x BLACK
JUMPSUIT Available in
small & medium sizes.
Php2,190



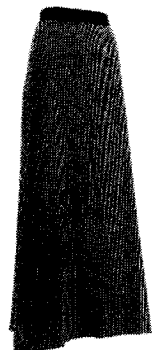
MARIANNE x White Cape
Dress. Php 1800



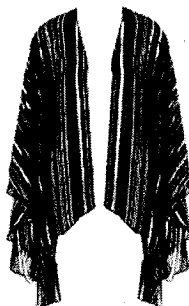
NICOLE 2PC. ENSEMBLE UNDER THE SEA x Aqua
x Red Orange Cropped Blue Maxi Skirt Php1990
Top and Pencil Cut Skirt.
Available in small &
medium sizes. Php 2,190



QUEEN x Salmon
Uneven Hem Top. Php
1350



STRIPE ME DOWN x Maxi
Skirt with Black
Leatherette Belt. Php
1,990



HEATWAVE x Kaftan
Striped Cover Up Free
size. Fits small, medium
and large frames. Php
1780



CHIEF x Kaftan Indian
Print Cover Up Free size.
Fits small, medium and
large frames. Php 1780

[View our Entire New Collection](#)

[View our Entire Old Collection](#)

[top](#)



Product and Price List

New Collection

Old Collection

MARIANNE x White Cape Dress – Php1,800 PALTROW x BLACK JUMPSUIT Available in small & medium sizes – Php2, 190

DRAMA QUEEN x Salmon Uneven Hem Top – Php1,350

10/6/13

CHERRYVENOM CLOTHING |

NICOLE 2PC. ENSEMBLE x Red Orange Cropped Top and Pencil Cut Skirt. Available in small & medium sizes – Php2,190

STRIPE ME DOWN x Maxi Skirt with Black Leatherette Belt – Php1,990

UNDER THE SEA x Aqua Blue Maxi Skirt – Php1,990

HEATWAVE x Kaftan Striped Cover Up Free size. Fits small, medium and large frames – Php1,780

CHIEF x Kaftan Indian Print Cover Up Free size. Fits small, medium and large frames – Php1,780

CAT WOMAN x LEATHER LEGGINGS Php1,000 *Comes in METALLIC SILVER

LILIAN x WHITE SHEER UNEVEN HEM TOP Free size Php550

KATELYN x BLACK SHEER UNEVEN HEM TOP Free size Php550

LOUISE x EMERALD GREEN ASYMMETRICAL HEM TOP Php1,200 Free size. Fits small & medium frames.

KENDALL x WHITE SLEEVELESS PEPLUM *Comes in Yellow and Coral Pink Free size. Php 780

KYLIE x YELLOW SLEEVELESS PEPLUM *Comes in White and Coral Pink Free size Php780

KIMBERLY x CORAL PINK SLEEVELESS PEPLUM *Comes in White and Yellow Free size Php780

MEGAN DEE x BLACK PAISLEY PRINTED COVER UP Php1,300

KATHA DEE x RED PRINTED COVER UP Php1,300

NIGHT CRAWLER x PRINTED UNEVEN HEM TOP May be used as a top or cover up. Php1250

JADA x PRINTED SHIFT DRESS Free size in stretch cotton. Recommended for small to medium frames. Php1,050

GEORGE x BLUE PRINTED SHIFT DRESS. Free size Php1050

GRETCH x BLACK PRINTED SHIFT DRESS. Free size Php1050.

AALIYAH x YELLOW SHEER THREE FOURTHS with gold spikes Free size Php780

DANIELLE x WHITE SHEER THREE FOURTHS with gold spikes Free size Php780

JACQUELINE x BLACK SHEER THREE FOURTHS with gold spikes Free size Php780

Red Mesh Skirt *Comes in Black Leatherette, Red, Gray and Plain Black Php620

Gray Mesh Skirt Comes in Black Leatherette, Red, Gray and Plain Black. Php620

Black Mesh Skirt *Comes in Black Leatherette, Red, Gray and Plain Black Php620

BUCKTHORN x Green Printed Harem Pants. Free size. Php800

ARMSTRONG x SILVER SPACE LEGGINGS Php1,000 *Comes in BLACK LEATHER

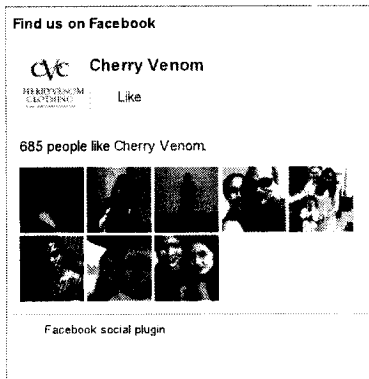
CYPRESS x PAISLEY PRINTED LEGGINGS Free Size Php890

UNION JACK x UK PRINT LEGGINGS Free Size – Fits Small to Medium Frames. Php890

LEOPARD x Assymetrical Top. Php990

THELMA x Black Assymetrical Hem Top. Free size. Php1,200

OUR FACEBOOK PAGE



OUR INSTAGRAM PAGE

@cherryvenom_

OUR TWITTER PAGE

https://twitter.com/CherryVenom_

TALK TO US.

Landline: +632.622.9771

Mobile: +63.916.7337078

Email: cherryxvenom@gmail.com

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EXHIBIT C

Proceeding Number 91212231

Dragon Bleu (SARL)

v

VENM, LLC

Offered by VENM, LLC

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, July 30, 2013 00:34 AM
To: pto@sherinianlaw.net
Cc: ebi@sherinianlaw.net
Subject: 1318-0002 Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85848528

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 85-848,528
Mark: VENM(STANDARD CHARACTER MARK)
International Class(es): 025
Applicant: VENM, LLC
Docket/Reference Number: 1318-0002

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Jul 30, 2013.

To View the Mark in the TMOG:

1. Click on the following link or paste the URL into an internet browser:
http://www.uspto.gov/web/trademarks/tmog/20130730_OG.pdf#page=00000817
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp.

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to TMPostPubQuery@uspto.gov. For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Jul 10, 2013

NOTICE OF PUBLICATION

- | | |
|--------------------------------------|---|
| 1. Serial No.:
85-848,528 | 2. Mark:
VENM
(STANDARD CHARACTER MARK) |
| 3. International Class(es):
25 | |
| 4. Publication Date:
Jul 30, 2013 | 5. Applicant:
VENM, LLC |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):

pto@sherinianlaw.net
ebi@sherinianlaw.net

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, July 10, 2013 03:32 AM
To: pto@sherinianlaw.net
Cc: ebi@sherinianlaw.net
Subject: 1318-0002 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85848528

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85848528) is scheduled to publish in the *Official Gazette* on Jul 30, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85848528>. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact TMPostPubQuery@uspto.gov.

Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	85848528	FILING DATE	02/13/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	IMAM, AMEEN	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	06/26/2013		
PUB DATE	07/30/2013		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/25/2013		
LITERAL MARK ELEMENT	VENM		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	VENM

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	VENM, LLC
ADDRESS	4367 Camelot Circle Naperville, IL 60564
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Illinois

GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Dance costumes

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/25/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	010
06/17/2013	ALIE	A	ASSIGNED TO LIE	009
05/31/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	008
05/31/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	007
05/31/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	006
05/31/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	005
05/31/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	004
05/29/2013	DOCK	D	ASSIGNED TO EXAMINER	003
02/20/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/16/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Depeng Bi
CORRESPONDENCE ADDRESS	DEPENG BI THE LAW OFFICES OF KONRAD SHERINIAN, LLC 1755 PARK ST STE 200 NAPERVILLE, IL 60563-8404
DOMESTIC REPRESENTATIVE	NONE

VENM

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	85848528	FILING DATE	02/13/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	IMAM, AMEEN	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	06/01/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	05/31/2013		
LITERAL MARK ELEMENT	VENM		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	VENM

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	VENM, LLC
ADDRESS	4367 Camelot Circle Naperville, IL 60564
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Illinois

GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Dance costumes

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/31/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	008
05/31/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	007
05/31/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	006
05/31/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	005
05/31/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	004
05/29/2013	DOCK	D	ASSIGNED TO EXAMINER	003
02/20/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/16/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

--

ATTORNEY	Depeng Bi
CORRESPONDENCE ADDRESS	DEPENG BI THE LAW OFFICES OF KONRAD SHERINIAN, LLC 1755 PARK ST STE 200 NAPERVILLE, IL 60563-8404
DOMESTIC REPRESENTATIVE	NONE

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	85848528	FILING DATE	02/13/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	IMAM, AMEEN	L.O. ASSIGNED	113

PUB INFORMATION

RUN DATE	06/01/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	05/31/2013		
LITERAL MARK ELEMENT	VENM		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUBLIC 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	VENM

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	VENM, LLC
ADDRESS	4367 Camelot Circle Naperville, IL 60564
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Illinois

GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Dance costumes

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/31/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	008
05/31/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	007
05/31/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	006
05/31/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	005
05/31/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	004
05/29/2013	DOCK	D	ASSIGNED TO EXAMINER	003
02/20/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/16/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

--	--

ATTORNEY	Depeng Bi
CORRESPONDENCE ADDRESS	DEPENG BI THE LAW OFFICES OF KONRAD SHERINIAN, LLC 1755 PARK ST STE 200 NAPERVILLE, IL 60563-8404
DOMESTIC REPRESENTATIVE	NONE

VENM

To: VENM, LLC (pto@sherinianlaw.net)
Subject: U.S. TRADEMARK APPLICATION NO. 85848528 - VENM - 1318-0002
Sent: 5/31/2013 9:50:46 AM
Sent As: ECOM113@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 85848528

MARK: VENM

85848528

CORRESPONDENT ADDRESS:

DEPENG BI
THE LAW OFFICES OF KONRAD SHERINIAN,
LLC
1755 PARK ST STE 200
NAPERVILLE, IL 60563-8404

GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/trademarks/index.jsp>

APPLICANT: VENM, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO. :

1318-0002

CORRESPONDENT E-MAIL ADDRESS:

pto@sherinianlaw.net

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 5/31/2013

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by Depeng Bi on May 31, 2013, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

EXPLANATION OF MARK'S SIGNIFICANCE

The following statement is added to the record:

The wording “VENM” has no meaning other than trademark significance.

See 37 C.F.R. §2.61(b); TMEP §808.01(a).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

/Ameen Imam/
Examining Attorney
Law Office 113
(571) 272-1942
ameen.imam@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: VENM, LLC (pto@sherinianlaw.net)
Subject: U.S. TRADEMARK APPLICATION NO. 85848528 - VENM - 1318-0002
Sent: 5/31/2013 9:50:47 AM
Sent As: ECOM113@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON 5/31/2013 FOR U.S. APPLICATION SERIAL NO.85848528

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

NOTE TO THE FILE

SERIAL NUMBER: 85848528

DATE: 05/30/2013

NAME: aimam

NOTE:

Searched:

☒ Google
☐ Lexis/Nexis
☒ OneLook
☐ Wikipedia
☒ Acronym Finder
☐ Other:

Discussed ID with:

☐ Senior Atty
☐ Managing Atty

☐ Protest evidence reviewed

Checked:

☐ Geographic significance
☒ Surname
☒ Translation
☐ ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

☐ Senior Atty
☐ Managing Atty

☐ Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

<input type="checkbox"/> phone	<input type="checkbox"/> Left message with Attorney/Applicant
<input type="checkbox"/> email	
<input type="checkbox"/> Requested Law Library search for:	<input type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS
<input type="checkbox"/> PRINT	<input type="checkbox"/> Added design code in TRADEUPS
<input type="checkbox"/> DO NOT PRINT	
<input type="checkbox"/> Description of the mark	
<input type="checkbox"/> Translation statement	<input type="checkbox"/> Re-imaged standard character drawing
<input type="checkbox"/> Negative translation statement	
<input type="checkbox"/> Consent of living individual	<input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID
<input type="checkbox"/> Changed TRADEUPS to:	
<input type="checkbox"/> OTHER:	

*** User:aimam ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	2	1	1	1	0:01	VENM [on]
02	30	0	30	26	0:02	*venm* [bi,ti]not dead [ld]
03	51	N/A	0	0	0:01	*VENM*[BI,TI]
04	0	0	0	0	0:01	"V ENM"[BI,TI]
05	0	0	0	0	0:01	"VE NM"[BI,TI]
06	0	0	0	0	0:02	"VEN M"[BI,TI]
07	1	0	1	1	0:01	"VENM"[BI,TI]
08	0	0	0	0	0:01	"V EN M"[BI,TI]
09	0	0	0	0	0:01	"VE N M"[BI,TI]
10	2	1	1	1	0:01	"V E N M"[BI,TI]
11	0	0	0	0	0:01	"V E NM"[BI,TI]
12	21	21	0	0	0:01	3 NOT 2
13	164	N/A	0	0	0:01	*VEN\$1M* [bi,ti]not dead [ld]
14	134	0	134	123	0:01	13 NOT 2
15	57	N/A	0	0	0:01	*V{v:2}NM* [bi,ti]not dead [ld]
16	27	0	27	26	0:01	15 NOT 2

Session started 5/30/2013 8:06:44 PM

Session finished 5/30/2013 8:15:06 PM

Total search duration 0 minutes 18 seconds

Session duration 8 minutes 22 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 85848528

VENM

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85848528

Filing Date: 02/13/2013

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>VENM</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	VENM
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	VENM, LLC
*STREET	4367 Camelot Circle
*CITY	Naperville
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	60564
LEGAL ENTITY INFORMATION	
*TYPE	LIMITED LIABILITY COMPANY

* STATE/COUNTRY WHERE LEGALLY ORGANIZED	Illinois
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	025
* IDENTIFICATION	Dance costumes
* FILING BASIS	SECTION 1(b)
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
* CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Depeng Bi
ATTORNEY DOCKET NUMBER	1318-0002
FIRM NAME	The Law Offices of Konrad Sherinian, LLC
STREET	1755 Park Street, Suite 200
CITY	Naperville
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60563
PHONE	6303182606
FAX	6303182605
EMAIL ADDRESS	pto@sherinianlaw.net
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Depeng Bi
FIRM NAME	The Law Offices of Konrad Sherinian, LLC
*STREET	1755 Park Street, Suite 200

* CITY	Naperville
* STATE (Required for U.S. applicants)	Illinois
* COUNTRY	United States
* ZIP/POSTAL CODE	60563
PHONE	6303182606
FAX	6303182605
* EMAIL ADDRESS	pto@sherinianlaw.net;ebi@sherinianlaw.net
* AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
* TOTAL FEE PAID	275
SIGNATURE INFORMATION	
* SIGNATURE	/Depeng Bi/
* SIGNATORY'S NAME	Depeng Bi
* SIGNATORY'S POSITION	Attorney
SIGNATORY'S PHONE NUMBER	6303182606
* DATE SIGNED	02/13/2013

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85848528

Filing Date: 02/13/2013

To the Commissioner for Trademarks:

MARK: VENM (Standard Characters, see mark)

The literal element of the mark consists of VENM.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, VENM, LLC, a limited liability company legally organized under the laws of Illinois, having an address of

4367 Camelot Circle
Naperville, Illinois 60564
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Dance costumes

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Depeng Bi of The Law Offices of Konrad Sherinian, LLC
1755 Park Street, Suite 200
Naperville, Illinois 60563
United States

The attorney docket/reference number is 1318-0002.

The applicant's current Correspondence Information:

Depeng Bi
The Law Offices of Konrad Sherinian, LLC
1755 Park Street, Suite 200
Naperville, Illinois 60563
6303182606(phone)

6303182605(fax)

pto@sherinianlaw.net;ebi@sherinianlaw.net (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Depeng Bi/ Date Signed: 02/13/2013

Signatory's Name: Depeng Bi

Signatory's Position: Attorney

RAM Sale Number: 85848528

RAM Accounting Date: 02/13/2013

Serial Number: 85848528

Internet Transmission Date: Wed Feb 13 11:26:58 EST 2013

TEAS Stamp: USPTO/FTK-173.165.81.129-201302131126588

62693-85848528-500d48761d49d53972d08ed56

7174fc3e6336c88c98a32eca5aeffe6d3dfce76f

-CC-9495-20130213111046480237

VENM